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ABSTRACT

This document is intended to promote understanding of democracy in Scotland as a social and cultural process that is sustained through learning as well as through political institutions and procedures. It consists of 47 short, easy-to-read papers that can be used in existing programs (for example, modern studies and social studies) or as supplementary materials. The papers are as follows: "National Identity" (David McCrone); "The Historical Struggle for Democracy in Scotland" (Graeme Morton); "The Legacy of the Scottish Enlightenment" (Jonathan Hearn); "Democratic Intellectualism" (Robert Anderson); "Civil Society and the State" (Lindsay Paterson); "Freedom, Justice, and Equality" (Ruth Jonathan); "Democracy and Citizenship" (David Carr); "The Scottish Parliament" (Alice Brown); "The Scottish Executive" (Richard Parry); "The Scottish Economy" (Brian G. M. Main); "The Scottish Education System" (Gordon Kirk); "The Scottish Legal System" (Hector MacQueen); "The Church" (Duncan B. Forrester); "The Welfare State" (Michael Adler); "Local Government in Scotland" (Richard Kerley); "The Voluntary Sector" (Chris Clark, Viviene E. Cree); "The Civic Forum" (Vernon Galloway); "Scotland, the Union and the Media" (John MacInnes); "Language, Culture and Identity" (Harry D. Watson); "Social Class" (Michael Rosie); "Gender and the Division of Labor" (Fiona Mackay); "The Asian Experience in Scotland" (Satnam Virdee); "The Trade Union Movement" (Patricia Findlay); "Disability" (Nick Watson); "Sexual Orientation" (Jamie Rennie); "Faith Communities" (Andrew Morton); "Young Scots" (Ian Fyfe); "Welfare Policy and

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Democratic Change" (Stephen Maxwell); "Poverty and Inequality" (Sally Witcher); "Gender and Identity" (Esther Breitenbach); "Race Relations in Scotland" (Rowena Arshad); "Work, Employment, and Unemployment" (Adrian Sinfield); "Land Ownership and Land Reform" (Andy Wightman); "Demographic Change" (Liz Bondi, Michael Gallagher); "Homelessness in Scotland" (Liz Nicholson); "Health" (Sarah Cunningham-Burley); "Medicine and Democracy" (Kenneth Boyd); "The Politics of the Environment" (Eurig Scandrett); "The Changing Family" (Lynn Jamieson); "Scottish Family Policy and Law" (Ian Dey, Fran Wasoff); "Children's Rights" (Kay Tisdall); "Scottish Arts and Common Culture" (Cairns Craig); "Sport and Leisure" (John Horne); "The Politics of Technological Change" (Tom Conlon); "Learning, Information Technology and Democracy" (Keith Stenning); "Democracy and Globalisation" (Jan Penrose); "Scotland in Europe" (Andrew Scott); and "The New Scotland: (William Storrar). All papers are accompanied by discussion questions. (MN)

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ED 476 524

Renewing democracy in Scotland

An educational source book

Edited by **Jim Crowther, Ian Martin** and **Mae Shaw**

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RENEWING DEMOCRACY IN SCOTLAND

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Foreword

ROBIN HARPER

I welcome this collection of papers, not only as the Rector of the University of Edinburgh but also as the first Green Member of the Scottish Parliament and as a former Modern Studies teacher. *Renewing Democracy in Scotland* is certainly unique. It is unique as the product of one great university which has put its intellectual resources and academic expertise together to create a source book which, unlike anything I have seen before, creates the educational resources for a wide-ranging programme of public education and popular debate about what democracy means and why it matters. In this sense, it seeks to activate citizenship through democratic discussion and debate within the wider community. Moreover it is, again uniquely, written and presented in a way which means that it can be used in all sorts of different educational settings with all sorts of different groups of students and learners.

One of the most important things this collection does is to show that learning democracy in Scotland today has to start from the recognition that there are now many different ways of being 'Scottish' which is something people in other societies can learn from. A key challenge for all democracies today is to develop new kinds of political solidarity which are enriched by cultural diversity. What this means is that, both in Scotland and in many other countries, 'democratic renewal' must be understood as a long-term cultural and educational process in which people learn to live in a democratic way. Democracy is not just about political institutions and procedures – although these also matter, of course, as this collection demonstrates. What this notion of democracy as a way of life suggests is that the 'new politics', both in Scotland and elsewhere, is as much about what goes on in the politics of civil society as it is about what goes on in the politics of the state. This expansive sense of what democracy really means explains the range and structure of the text, which contains contributions from seven out of the eight faculties of the University. In addition, it is worth emphasising that the collection is structured in such a way that particular groups of readers can start wherever they want to by focusing on their own interests and concerns and then working outwards, making their own particular connections (and confronting the complications these entail) as they go along.

In the end, active citizenship must be about the willingness and ability of citizens to argue about what being a citizen in a democratic society means, and how this changes over time. *Renewing Democracy in Scotland* enables us to do this, and to carry the argument into all sorts of different contexts in an informed, critical and creative way. In this sense, it does precisely what it sets out to do: it provides, in one unique and authoritative volume, the educational resources for renewing democracy in Scotland today, in a way which I hope will spell the beginnings of a new kind of Scottish Enlightenment which casts its light well beyond the shores of Scotland.

Robin Harper MSP

How to use the source book

The basic aim of this educational source book is to promote an understanding of democracy in Scotland as a social and cultural process which is sustained through learning, as well as a set of political institutions and procedures. These papers have therefore been written not only to widen understanding of the policies and politics of the new Scottish state but also to facilitate democratic discussion – in the classroom, seminar, youth club or church group. They are the work of academic specialists who have tried to make their contributions authoritative yet accessible. Information about the contributors is given at the end of the collection.

A standardised form of presentation is used throughout: each paper is divided into short sections under sub-headings; references in the text are kept to a minimum but suggestions for further reading are given at the end of each paper, and these are preceded by questions for discussion. The format is intended to be as 'user friendly' as possible, making the material suitable for a wide range of readers in a variety of educational contexts, both formal and informal. These range from the upper levels of secondary schools to further and higher education, from youth groups to adult learners in voluntary organisations and local community groups.

The source book can be used for teaching and learning in a variety ways.

The papers are quite short, easy to read and can be used to generate discussion and debate in a group or classroom. This should encourage more active participation in learning. They can be linked to existing programmes of study (eg modern studies, social education, SVQ) or used as supplementary material to focus on something of particular relevance or current interest:

- At present there is much interest in the meaning of citizenship and the idea of education for citizenship. In this case, *Democracy and citizenship* (pages 30–33) provides an obvious starting point for study. This could lead in various directions: to an examination of Scotland's political history, for example its contemporary institutions or its changing social composition and national identity.
- Discussing children's rights (pages 169–172) could be a way of extending the understanding of issues surrounding high-profile child abuse cases. This might be developed to look at the changing family (pages 161–164) or Scottish family policy and law (pages 165–168).
- An educational visit by the police to a school could be supplemented with a study of the Scottish legal system (pages 52–55) which, in turn, might raise questions about, for example, freedom, justice and equality (pages 26–29). Similarly, a class visit to a court might well rise questions about poverty and inequality (pages 119–122) or even homelessness in Scotland (pages 143–146).
- A computer class might be interested in discussing some of the wider educational, social and political issues raised in *Learning, information technology and democracy* (pages 185–188).
- A social education class might read the papers on sexual orientation (pages 103–106) or disability (pages 99–102) as a way of leading into a discussion about the relationship between 'difference' and bullying or social exclusion.

The papers can be used to stimulate an interest in research. The suggestions for further reading in the form of books, journal articles or web references can help to deepen study of a particular topic of interest. They might also be used as a catalyst for a small-scale research project or mini-survey:

- A local environmental group could carry out an audit of harmful local practices using information provided in *The politics of the environment* (pages 156–160). They

might then wish to find out how to turn to the Scottish Executive (pages 40–43) to take up some of the issues raised. Subsequently they could look to the Civic Forum (pages 72–74) with a view to gaining wider support for their activities.

- A group of young mothers might develop a new understanding of their own situation if they studied *Gender and the division of labour* (pages 87–90) For further information, they could turn to *Work, employment and unemployment in Scotland* (pages 131–134) or *The welfare state* (pages 60–63). This might lead to a small scale study of the social and economic circumstances of their peers in other neighbourhoods or parts of Scotland.
- A disability group might be interested in looking at the ways in which disability (pages 99–102) represents an increasingly significant contemporary Scottish identity and interest. They could then be encouraged to see their own experience as part of *The historical struggle for democracy in Scotland* (pages 11–14) or to think about how their voice could be heard in the Scottish Parliament (pages 35–39).

The comprehensive nature of the sourcebook provides a basis for thematic work on the institutions of modern democracy, particularly those associated with the new Scottish Parliament. In addition, understanding democracy as a cultural process can usefully extend the scope of study.

Focusing initially on *The Scottish Parliament* (pages 35–39), groups can learn about its structures, procedures and powers. This could take them back to the key ideas and values which have informed the historical development of democratic institutions in Scotland.

A discussion of *Civil society and the state* (pages 22–25) or *Democratic intellectualism* (pages 19–21) could raise some interesting questions and challenge some widely held assumptions about living in Scotland today. Reading *The Asian experience in Scotland* (pages 91–93) alongside *National identity* (pages 7–10), for example, might well induce some healthy scepticism about the rhetoric of Scottish inclusiveness and egalitarianism.

- *Section 3: Contemporary Scottish identities and interests* (page 79) could form the basis of a systematic programme of study aimed at developing an understanding of the complex yet richly diverse cultural mix which makes up Scotland's people. This in turn could lead to a consideration of the problems and possibilities posed in *Section 4: Issues for democratic renewal in Scotland today* (page 115).
- A study programme of five sessions might be structured around a topic from each section of the pack which could be linked together, for example, *The legacy of the Scottish Enlightenment*; *The church*; *Language, culture and identity*; *Race relations in Scotland*; and *The new Scotland: taking our place in the world*. Other combinations of papers could be suggested by starting with different topics.

The contents of the sourcebook is intended to help readers make connections between their own experience and that of others. This suggests the possibility of developing relationships or building alliances:

- A church group might wish to come to a better understanding of Scotland's other faith communities (pages 107–110). This could lead to inter-faith dialogue and enhance mutual understanding and respect.
- A local community group could be encouraged to read the paper *Social class* (pages 83–88) as a way of thinking about their own experience. This might instigate contact with other similar groups, and begin to stimulate debate about the trade union movement (pages 94–98) in

Scotland today, demographic change or, indeed, Scottish arts and common culture (pages 173–176).

The questions at the end of each paper may also elicit new questions which may then create opportunities for further study.

Introduction

JIM CROWTHER, IAN MARTIN and MAE SHAW

In 1999 Scotland regained its Parliament after nearly 300 years of rule from Westminster. The 'settled will' of the Scottish people had been fulfilled. Within the triumph of devolution, however, lies the promise and possibility of a more profound evolution: evolution towards democracy as a way of life in Scotland, as distinct from simply a new set of political institutions and procedures. Democracy, however, understood in this more expansive and inclusive sense, must be enacted and re-enacted as a continuing, creative and open-ended cultural process. This is a challenge and a task which has to be made to work – it won't just happen. The new political dispensation in Scotland must therefore be understood as the beginning rather than the end of the task of renewing democracy. It is only when ordinary citizens begin to feel the difference and begin to believe that they can make a difference, seeing themselves as active agents within a new kind of polity, that the full potential will be grasped. Unless and until this happens, many people in Scotland will continue to experience politics as 'more of the same', and will respond with familiar apathy and reasoned cynicism. This is no basis on which to proceed.

This collection of papers is offered as an educational resource for a communal process of learning democracy by means of which the peoples of Scotland can become part of, and play their part in, a new kind of social and political settlement. This has to start with a recognition that it is in civil society that people learn to be the active citizens they become in the state. Indeed, their capacity for learning and changing is perhaps the key resource for making democracy work. It is in this sense that the aim of these papers is to address the unfinished business of democratic renewal in Scotland today

What remains unfinished is the task of rebuilding the foundations of a new and different kind of democratic culture in Scottish civil society, one which consolidates the political work that has been done in refashioning the politics of the state. The Parliament, of course, was largely the outcome of pressure exerted by civil society on the British state. But, just as civil society acted upon the state in order to change it, so the cultural politics of communities must now be mobilised to enrich and vivify the political culture of the new Scottish state. This suggests an organic and more widely shared process of cultivating a renewed and more inclusive democratic sensibility in Scottish civil society. Learning democracy in this way is now an urgent educational task. This collection has been conceived and assembled as a resource for precisely this purpose.

The idea of learning democracy, as a broadly-based cultural process, explains how the text is organised. Section one suggests that the key ideas and values which make democracy work have to be restated – and re-rooted in distinctively Scottish histories, traditions and sensibilities. Section two gives an account of the key Scottish institutions – not only those of the new state but also those historically distinctive institutions of Scottish civil society which have helped to keep the idea of Scotland as an 'imagined community' alive over the centuries. Section three addresses the plurality of identities and interests of which Scotland today is constituted – and which any active and inclusive notion of democratic citizenship must necessarily celebrate and embrace. Section four considers what is to be done if democracy is to be experienced and enacted by citizens as a way of life in Scotland today, and demonstrates in the process that there is no room for complacency about the challenges that must be confronted. Finally, Section five indicates how, in the era of globalisation, the new Scotland as a reconstituted polity and a democratic society can take its place and play its part in the wider world.

The papers in this collection have been written entirely by members of staff of the University of Edinburgh or people closely associated with it, ranging across seven of the University's eight faculties. They take the form of short and highly accessible yet

authoritative accounts which are intended for use in a wide variety of formal and informal educational settings.

The text is intended to be an expression of the distinctively Scottish notion of the civic university. It reflects the view that, ultimately, academic knowledge and expertise must be understood to be public property. As such, they should be deployed in ways that inform and enrich the social and cultural contexts in which they are generated. This suggests that, whatever the current pressures in higher education towards competitive advantage and the privatisation of intellectual capital, universities must remain responsive and accountable to the wider community. There are many ways in which universities are now expected to be agents of lifelong learning, but perhaps the most fundamental sense in which they should be interpreting this in Scotland today is in reconstructing their civic mission. This requires them systematically to reconnect their work with the lives of their constituent communities and help support the learning that takes place within them.

In this particular sense, democratic renewal presupposes a revival of the Scottish tradition of democratic intellectualism. This proposes that it is fundamental to a democratic society that specialist knowledge and expertise, be they academic, technical or political, should always be made available to and subjected to the scrutiny of an 'educated public'. These papers are a contribution made by one great civic university to the revival of the democratic intellect as a key resource for that process. Democracy depends for its health and vitality on a rich and humane civic culture in which the exploration of ideas is valued and public debate is encouraged. Moreover, within an increasingly pluralistic and ethnically diverse society, democratic living also demands of citizens not only the willingness and ability to learn to understand each other but also, crucially, the capacity to forge new kinds of political solidarity out of cultural difference. But if democracy ultimately depends on the common sense of a common citizenship, it must be understood in deliberative as well as procedural terms. In this way, the pluralistic politics of civil society insistently enriches the consensual (or, for that matter, adversarial) politics of the state.

The broad range of papers in this collection suggests that the current policy interest in active citizenship, social inclusion and lifelong learning must recognise that the values of social purpose and civic engagement are learned in civil society. Indeed, it is true to say that, historically, Scots first learned democracy outside the state and prior to the state in, for example, their distinctive forms of religious practice and church governance and their native philosophy, arts and literature. It is now essential that the new Scottish state recognises that the health of civil society, in all its richness and diversity, remains the seedbed of democracy. In due course it will be necessary for the Scottish Parliament, in particular, to reflect much more consistently than it now does the range and variety of what it means to be Scottish in Scotland today.

Finally, it is necessary to ask how far the newly-constituted Scottish democracy is compatible with persistent patterns of social, cultural and racial division and material inequality. Despite all that has been achieved in recent years, far too many of Scotland's people remain effectively excluded from the full rights and responsibilities of citizenship by poverty, prejudice and discrimination, and are thus shut out of the public business of democratic life. For this substantial minority, the promise and possibility of the new politics of Scotland will continue to ring hollow until the reality of their daily lives is significantly changed for the better. In the end, there can be no meaningful renewing of democracy in Scotland without more determined progress towards greater social justice and economic equality.

SECTION 1 –
MAKING DEMOCRACY WORK:
KEY IDEAS AND VALUES

National identity

DAVID McCRONE

What does it mean to be Scottish?

If someone asked you to describe yourself, how would you reply? Possibly you take the view that your 'self' is a very personal and private thing, which does not need explaining to or defending from others. On the other hand, whether we like it or not, we present ourselves to others, and they in turn read the signs we give off conveying our identity. In this social processing of self, cultural markers are crucial. Our gender, social class and ethnicity are only a few of the more important ones, as is our national identity. As soon as we say this, eyebrows are raised. Many people simply don't factor it into their identity equation. If you are Scottish, then there is a high chance that it is salient to who you are; on the other hand, if you are English, you may find it problematic and even uncomfortable to have to be 'national'. You might prefer to say you are British, which, formally speaking, is your citizenship, but the precise distinction might escape you. The political journalist Anthony Barnett put it like this:

> What is the difference between being 'English' and being 'British'? If you ask a Scot or a Welsh person about their Britishness, the question makes sense to them. They might say they feel Scots first and British second. Or that they enjoy a dual identity as Welsh-British, with both parts being equal. Or they might say, 'I'm definitely British first.' What they have in common is an understanding that there is a space between their nation and Britain, and they can assess the relationship between the two. The English, however, are more often baffled when asked how they relate their Englishness and Britishness to each other. They often fail to understand how the two can be contrasted at all. It seems like one of those puzzles that others can undo but you can't; Englishness and Britishness seem inseparable. They might prefer to be called one thing rather than the other – and today young people increasingly prefer English to British – but, like two sides of a coin, neither term has an independent existence from the other. (Barnett, *This Time*, 1997: 292–3).

Not only is the distinction between 'English' and 'British' hard to grasp for many people, in part because 85 per cent of the British population lives in England, but there is an implicitness which comes from the taken-for-granted. If the Scots, Welsh and Irish are more likely to be aware of national identity, it is largely because they live with a large neighbour: 'in bed with the elephant' is how Canadians describe living on the North American continent with their southern neighbour. The larger nation is quite unaware of being the 'other' which helps to define who one is.

Having said that, Scots are much more aware of being 'not English' than the other way round, and we shouldn't assume that they constantly worry it to death. Here is a comment made by the writer Willie McIlvanney:

'Having a national identity is a bit like having an old insurance policy. You know you've got one somewhere but often you're not entirely sure where it is. And if you're honest, you would have to admit you're pretty vague about what the small print means' (*Herald*, 6 March 1999).

National identity, then, is not only pervasive, it is usually implicit. For most people going about their daily lives, it is taken for granted – or, as the social psychologist Mick Billig put it, it is 'banal', not in the sense of being unimportant, but part of the everyday furniture. Most of us don't even notice the manifestations of being Scottish – flying the flag, using the money, listening to how we speak – except when it grates: perhaps a Union flag rather than a Saltire on public buildings, Scottish banknotes not being accepted as tender, an official or announcer with an 'inappropriate' accent.

What makes being Scottish different?

We know that being Scottish has strengthened over the last 20 years. In 1979, when people were asked to choose between being Scottish and being British, 56 per cent of people said the former and 38 per cent the latter. By 1999, over three-quarters said they were Scottish and only 17 per cent British (Scottish Election Survey 1979; Scottish Parliamentary Election Survey 1999). This, however, is to polarise the choice. Most people – as many as two-thirds – retain some element of being British as well as Scottish, although largely emphasising the latter.

This is a starting point, but no more than that, because we cannot be sure what people precisely mean by the terms 'Scottish' and 'British'. What the data tell us is that if we juxtapose them, people will, by and large, forefront being Scottish over being British (by as much as six to one), and that such results have been fairly consistent over the last 25 years since we started asking these questions. They hold across social class, gender, age, region and religion, with few significant differences, although working class people and the young are marginally more Scottish than their counterparts. Similarly, and in spite of claims to the contrary, Catholics are, if anything, more Scottish than Protestants.

This is a useful jumping-off point for asking what people might mean by 'Scottish'. We know that historically being Scottish was being Protestant, a Unionist and proud of the Empire. All that has changed. The Empire is no more. Scotland is not only a more secular society, but being Catholic or Protestant has lost its political implications; the 'Orange' vote among the Protestant working class has vanished, and with it the Conservative Party has shrunk to marginal political status. A new, more liberal and social democratic vision of Scotland has emerged which – in spite of claims to the contrary – places it firmly in the anti-authoritarian and open-minded scheme of things. This also helps to explain why Labour and the Scottish National Party (SNP) are bitter political enemies as they battle for similar ideas and social groups. Scotland is, if anything, a more liberal, less homophobic and more progressive society than England – whatever it suits sections of the media to believe.

This is a bit of a puzzle for some. After all, they argue, isn't nationalism about mobilising cultural differences like language and religion? Scotland, however, is not particularly linguistically distinct despite Gaelic and Scots – or at least not sufficiently distinctive that, like Quebec and Catalunya, language is the key cultural marker. If religion too has lost its defining status, then what is left to mark out the Scots as 'different'? The answer is that Scotland has always been different – if by that we mean 'not England'. National historical consciousness links back quite readily to political independence: witness the 'Braveheart' factor. We may not know what it was really like to be a fourteenth-century Scottish peasant, but 'Remember Bannockburn' is not a recurrent sporting motif for nothing. Even Scotland in the Union since 1707 retained its institutional autonomy, notably over law, education, religion and local administration, such that there was an identifiable institutional space which made 'Scottish' a taken-for-granted reference. Being British was for much of that time a complement, not a challenge, to being Scottish. It was possible to be a unionist and a nationalist at the same time. After all, even the most unionist of Tories had no difficulty in recognising Scotland as a nation. 'We don't need a separate state to prove that we are Scottish', said Ian Lang, one-time Conservative Secretary of State for Scotland in the 1990s. The debate was over what constitutional arrangements suited that national status. By 1999 the 'settled will' had come to be devolution, and Conservatives have had to learn to live with that.

What makes a Scot today?

What does the modern sense of Scottishness look like? First and foremost, it is civic rather than ethnic. It involves a 'sense of place' rather than a 'sense of tribe': Scotland is, in McIlvanney's words, a 'mongrel'. To be sure, it always was, given the pre-historic peoples who settled here: Picts, Scots, Britons, Norse and Angles. Being King or Queen 'of Scots' – rather than 'of Scotland' – formally recognised that diversity, and the territorial identification which came with it. More recently, new settlers are able to claim a hybrid identity, such as Scottish-Italian or Scottish-Pakistani. No one yet has been bold enough to claim to be an 'English Scot', and the English are the largest group of non-Scottish born migrants at around 8 per cent of the population. For them, the umbrella identity of 'British' is sufficient, though many will tell you that they did not realise that they were actually 'English' until they came to live north of the border.

Scotland, of course, has historically been a society of emigrants rather than immigrants. After all, while 10 per cent of the Scottish population was not born in Scotland, as many as three-quarters of a million people born in Scotland – some 15 per cent of the current population of Scotland – live in England. These are the people referred to as 'Anglo-Scots' – Scots by birth and probably ancestry, but no longer of residence. The re-establishment of a Scottish Parliament raises for them in particular the question as to what, if anything, it means to be Scottish. They do not have the right to vote in Scottish elections, and there is some evidence that many feel uncomfortable with this institutionalising of being Scottish by birth as opposed to Scottish by residence: ethnic versus civic identities again.

What we might predict is that a territorial sense of being Scottish, reinforced by the workings of the Scottish Parliament, will once more take precedence over an ethnic sense of being Scottish simply by birth and ancestry. At the beginning of the new millennium, however, people in Scotland are relaxed about what it takes to be a Scot. In the Scottish Election Survey of 1997, for example, 82 per cent said that being born in Scotland, 73 per cent said having Scottish ancestors, and 65 per cent said living in Scotland was important in being truly Scottish. We have begun to explore 'what makes a Scot' more systematically. In the 1999 Scottish Election Survey, we asked what kinds of people should be entitled to a Scottish passport if Scotland became independent. The data showed that being born and living in Scotland has the highest rating (97 per cent), followed by being born but not living in Scotland (79 per cent), and not born but currently living in Scotland (52 per cent): a conception of citizenship among the most liberal in Europe. Simply having Scottish ancestry does not seem to be enough, with 34 per cent supporting citizenship on the basis of having a Scottish parent, and 16 per cent a Scottish grandparent.

Identity politics

What, then, can we say about national identity in Scotland at the start of the new millennium? This is an era in which the politics of identity matter. Whether we are talking about gender, race and ethnicity or nationality, there has been a rediscovery of a kind of politics which is informal and engaged: 'the personal is political', as the women's movement told us three decades ago. Somehow, formal politics has become routinised and less interesting, a matter for big battalions rather than small movements. In Scotland today the politics of class seems to matter less than the politics of nation, for twice as many people identify with opposite class Scots as with same class English, whether we are looking at working-class or middle-class people – a change which has come about in the last 20 years. This is not to argue that one form of politics has superseded another, but rather that something

much more subtle is going on whereby the politics of class and nation dovetail with each other. Being 'Scottish' and defining oneself as 'working class', even when people are in middle-class jobs, is a feature of identity politics in Scotland.

All this might seem to imply that Scotland's political future is mapped out. Not so. There is no simple alignment between how people vote, how they define themselves in national terms and their constitutional preferences. For example, only a minority of those who favour independence say they are Scottish and not British, and almost half of SNP voters at the 1997 general election did not support independence, while most of those in favour of independence actually voted Labour. This is to make the important distinction between upper-case and lower-case nationalism. There is no necessary correspondence between thinking of oneself as a Scot and voting SNP or wanting independence. They simply do not stack up like that. What this signifies is not that Scots are hopelessly confused about who they are, what they want and how to get it, but that they have a shrewd appreciation of the complexities of political and cultural life in the modern world. What the future may hold we cannot predict with any certainty, but the journey towards it promises to be great fun.

Questions for discussion

1. **What does being Scottish mean to you?**
2. **How much more is there to feeling Scottish than not being English?**
3. **What should 'the personal is the political' mean in Scotland today?**

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The historical struggle for democracy in Scotland

GRAEME MORTON

Landmarks and pockmarks litter the historical struggle for democracy in Scotland: great reforms and social exclusion vie to compose its executive summary. Reform of the state was the outcome of indirect rather than direct pressure, of party political expediency rather than true democratic principles. Throughout this endeavour, dates from the past had a tendency to surface at odd times and in perhaps surprising combinations: the Declaration of Arbroath (1320); the Magna Carta (1215) from England's constitutional past; the claims of right issued in 1689, 1842 and 1988, when the British state was told to put up or shut up by the religious leaders and by the people of Scotland. Each generation of political reformer had their own favourite inspirations to fortify a claim. The timing and style of these political demands was the product of a nation which had located so much in its civil society. The Scots compensated for the loss of their own parliament in 1707 (when Union with England took place) by prioritising public institutions and organisations in the town and the country. Whether it was forced to, or chose to, is not for discussion here: its outcome was the making of a democratic people who looked for answers both within and outwith the state.

The story of parliamentary reform

Universal suffrage for men and women was the eventual outcome of a century of electoral reforms in 1832, 1868 (a year later than in England), 1884, 1918 and 1928. If the 'Great Reform Act' of 1832 was the first stepping stone to democracy, long legs were needed for the walk to continue. It was one of three pieces of legislation, with separate Acts for England and Wales and for Ireland. Scotland's discrete legal system did not in this case make too much difference, with the right to vote in Britain granted to those men who owned property to the value of £10, and who, of course, registered to do so. At this point, one in eight Scots had the vote (compared with one in five in England), and the electorate increased from less than 4,500 to 65,000 immediately after reform, and to 84,000 by 1839. But the property qualification did its job, keeping the working-class male from involvement. Democracy here was all about stake-holding. Without owning property – or paying tax – what right had the individual to sway public expenditure with a vote? It was an interpretation of democracy which explained away universal male suffrage, and kept out women, too.

Despite John Stuart Mill's plea in support of the female vote made in the parliamentary debate prior to the passage of the second Reform Act, the representation of women was confined to the decision of their men. It was the skilled artisan and the countryman who were the respective beneficiaries of the 1868 and 1884 reforms. The issue of female emancipation crystallised into organised pressure groups: the failure of 1867 and 1868 inspired the greatest momentum, with two million signatures given to their cause in a steady campaign throughout the next decade. Local government had given some hope for this half of the population, with the creation of the municipalities in 1833 allowing spinsters and widowed women owning property to vote, although most were elderly and the numbers were small. Evidence of the formal political activity of women comes at the level of the school boards created after the 1872 Education (Scotland) Act which brought compulsory primary education for children aged five to thirteen. Ladies' Educational Associations worked towards the instruction of women at the higher level, active through Scotland since the 1860s, but without recognition until the Universities (Scotland) Act of 1899. Women aged over thirty were granted the vote in 1918 in the same Act which bestowed universal suffrage upon men; it would be ten more years before women gained that equality.

Radical pressure

Such achievement had been a long time coming – and at no time should we regard it as a steady progression, such were the defeats along the way. Despite minor attempts to control electoral corruption, it remained ripe until Parliament took a firm grip in 1883. Pressure on the electorate could still be applied by landowners and employers for 40 years after the first reform, with the secret ballot obtained only in 1872. Britain had led the way from the seventeenth century when legislative power was tipped in favour of parliament, not crown, negating the 'unseemly' nationalist revolutions that engulfed much of Europe in the 1790s and 1840s. The first Reform Act again put Britain ahead of its rivals, but that place was lost when universal male suffrage came earlier (in part or all) to the United States, France, New Zealand and Australia. This laggard performance from the political parties at Westminster was not for lack of campaigning by a range of radical groups, however.

The origin of modern political protest is rooted in the 1770s. A number of Hampden Clubs were set up in London to challenge the government over taxation, unemployment and public expenditure, and in Scotland support came and persisted until 1816. The 1790s were particularly rumbustious. Thomas Paine's *The Rights of Man* was circulated widely, but banned in 1792 with worried booksellers fleeing from prosecution. The Friends of the People kept the pressure on the government for shorter parliaments and equal representation, with notable support in Dundee, Perth, Glasgow and Edinburgh. Links with the United Irishmen around nationalism were tried, but proved unconvincing to the Scots; more encouragement was given instead to the Irish by the United Scotsmen societies from 1793, a membership comprised from the lower middle classes. A little later, the Owenites and the Scottish Chartists took the debate forward. Both housed the female voice, although they advocated the male not female franchise, just as the working men of 1832 had celebrated the £10 property qualification (and their own exclusion). The six point Charter included universal suffrage, annual parliaments and the payment of MPs, and was active throughout the 1830s and 1840s. The rejection of violence in favour of 'moral force' marked the Scottish branch of the Chartists from their counterparts in England. Combined with the temperance and Sabbitarianism movements, it kept up the religious organisation of society. Their ethos flowed from Thomas Chalmers' *Godly Commonwealth* – of parish help to negate destitution exacerbated by urbanisation – designed to counter social exclusion. These movements, which bypassed the state, were all linked in their use of morality and self-help. The individual in civil society was where the struggle began and ended.

The democratic nation

The promotion of community as a means of empowering all sections in civil society was replicated in the politicisation of national identity. The state was only indirectly the focus until the twentieth century. Early republicanism was formed around the west coast weavers in the 'Radical War' of 1820. *The Rights of Man* was again circulating and inspiring, but agents provocateurs were on hand to undermine any who dared lead. One high-profile activist was not silenced, however. The 11th Earl of Buchan, one-time member of the Friends of the People, patronised the re-publication of Blind Harry's *Wallace* and commissioned the first likeness of Wallace in stone on his land at Dryburgh (in 1814). The cry of the nationalist was now clear, but still broken down by the greater priorities of republicanism. It would be 30 years before the first campaigning society to place nationalism at its heart came into being: its story was not that of the working man, but of the Scot.

When the National Association for the Vindication of Scottish Rights (1852-6)

brought the nation's democratic deficit shimmering to the attention of Scotland's opinion-makers, it changed the terms of the debate. No move was made by its heterogeneous bourgeois leadership to widen the electoral base in Scotland, but it did argue for increasing the number of MPs (and it was estimated that even after 1868, Scotland remained under-represented by 20 parliamentarians). Only on its fringes would the case for a Scottish parliament be made, its core principle being the strengthening of the town councils as a counter to the 'centralising tendencies' of London rule. Democracy was lost to the faceless bureaucrat in London, and Scotland's tax revenue was paying for the privilege. The heroes and heraldry of the past were summoned against critics to confirm Scotland-as-nation, not province or region. But even when the great medieval patriots from the wars of independence were evoked, Wallace and Bruce were symbols of Scotland's independence within Union with England. The solution to the democratic deficit lay with equality between the two nations co-joined in 1707.

Keeping the Empire strong, rather than keeping the Union intact, was part of the campaign from the Scottish Home Rule Association (SHRA) (1886-1918), formed in reaction to Gladstone's first legislative attempt to give Ireland a devolved parliament. Packed by disaffected Liberals, the SHRA tried in vain to exhort upon the leadership and the activists of that party the merits of Scotland's claim to devolution in line with, and in precedence to, that of Ireland. Gladstone was wary of hindering his plans for Ireland, and his right-hand man in Scotland, Lord Rosebery, pushed through the creation of the Scottish Office in 1885, convinced that it was sufficient for Scotland's needs. The Westminster Parliament was truly designated the imperial parliament, dealing with the dominions and other 'foreign' matters: it achieved in effect an entire parliamentary session without attention to the Scots in 1896.

Scotland's democratic representation appeared worthless, and the solution proposed was a parliament in Edinburgh to deal with what were termed 'local national affairs'. The Empire was to remain intact, sourced as prosperity and a matter of majestic pride and loyalty by these nationalists. Their constitutional solution was home rule all round (devolved parliaments for Scotland, Ireland, Wales and, importantly, England in a federal structure) and presented it as the root of democratic stability, despite their critics arguing it was the path to disintegration. The SHRA failed to persuade either Gladstone or the Liberal party to adopt their plans, even after 13 debates and votes in parliament between 1890 and 1914. By the 1900s, the mantle had been taken up by the Young Scots Society, most notably after the 1910 General Election, and the Labour Party (after 1918) when the SHRA was revived under its leadership. The Scottish National League (1919/1920) and Scottish National Movement (1926) and the Scottish National Party (SNP) (1934) then politicised the issue as political parties in their own right, severing the tie with one or other of the UK parties.

Civil society

The SNP did not gain its first MP until Dr Robert McIntyre's short-lived by-election success of 1945. This breakthrough, the four Reform Acts (1832, 1868, 1884 and 1918) and the equalising Act of 1928 (between women and men) are material dates in the struggle for democracy in Scotland, and each was born from an ethos of civic action. So it was by recourse to civil society that the Campaign for a Scottish Assembly revived this historical tradition and issued its Claim of Right against misgovernment in 1988.

The religious basis of this modern Claim can be traced back to the Covenanters, defending Protestantism as a birthright in the seventeenth century. In the first Claim of Right, delivered in 1689, control over the

monarchy and the state by the Scottish people was stated in response to William and Mary's accession to the crown, the 'Glorious Revolution', just as the Scots had so declared loyalty to Robert Bruce on their terms at Arbroath in 1320. A second Claim was issued in 1842 and preceded the walk-out by half of the Kirk's ministers under the leadership of Thomas Chalmers the next year, forming the Free Church of Scotland. The objection was to patronage over the appointment of ministers to the parish, a system backed up by the British state. The Claim was a plea to people power, and it was one that was readily understood in Victorian Scotland. In a society where philanthropic-backed associational culture was the ascendant ideology, not bureaucratic state intervention, democracy worked at the micro level. The movements and organisations highlighted here for forming Scotland's struggle for democracy were built upon the locality and community, upon spiritual independence as much as political independence. They grew from civil society. Pressure was put on the Westminster state, just as parliamentary and franchise petitions came from other parts of Britain, but it was only one part of the wider evolution of democracy amongst the people of Scotland.

Questions for discussion

1. **Why was universal male suffrage regarded as such a threat to parliamentary stability?**
2. **What was the ethos that lay behind Scotland's historical struggle for democracy?**
3. **In what ways do you think that the historical struggle for democracy continues in Scotland today? Can you think of local organisations and activities that might contribute to this?**

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The legacy of the Scottish Enlightenment

JONATHAN HEARN

Enlightenment and democracy

Mass democracy as we know it today was a distant idea in the eighteenth century, but many key ideas of the Scottish Enlightenment (c1730-1790) have subsequently shaped debates about the best conditions for realising democracy. Throughout Europe, Enlightenment thinkers, from Locke to Rousseau to Kant, argued the case for freedom of thought and elevating the powers of human reason over the dictates of tradition and orthodoxy. Moreover, there was an assumption that the ability to think for oneself was quite widespread and could be cultivated, and thus the potential for wider populations to play an important role in their own governance was recognised.

The Scots shared in this same framework of thought, while also contributing a critical perspective on some of the Enlightenment's core assumptions. Two of these are worth highlighting at the outset. Scottish figures such as Adam Ferguson, Adam Smith, David Hume and Thomas Reid were eager to understand and promote our human capacity for reason, but each in their own way had doubts about placing too much faith in rationality. They thought we should also pay attention to the realm of feeling and sentiment, if we are to have a well-rounded understanding of what motivates human beings. Similarly, the Scots tended to place great emphasis on our social nature, arguing that society is a distinct reality that emerges out of individual belief and behaviour, but is not reducible to the level of the individual.

Thus we can see in the Scottish Enlightenment anticipations of recent feminist arguments that ethics must be based on concepts of caring and not just on rules of fairness, and early critiques of what would subsequently become the radical individualism of our own market dominated age. Although they lived in what was still largely an agrarian society with a growing commercial dimension, and only had inklings of the industrial capitalism that lay in the future, the thinkers of the Scottish Enlightenment clearly foresaw accelerating social change and the need to re-equip ourselves with concepts for making sense of the world. Though many were sceptical about the idea of a universal franchise, there was a democratic spirit in their goal of improving our powers of understanding. What follows only sketches the broad outlines of Scottish Enlightenment thought; it does not attempt to do justice to individual thinkers.

Science and nature

Like Enlightenment thinkers elsewhere, the Scots took their cue from the rapidly developing natural sciences, inspired particularly by the work of Isaac Newton and Francis Bacon in the areas of mathematics, astronomy, optics and physics. Many of the key figures of the Scottish Enlightenment worked in the natural sciences as well, such as Joseph Black (chemistry and medicine) and James Hutton (geology). But those who called themselves moral philosophers and political economists hoped to bring a similar scientific rigour to the study of humankind. At the same time, they were alive to the fact that our science is only as reliable as our powers of perception, and that in many ways the natural or physical sciences rested on a prior science of the human mind. This was especially a concern of David Hume, and from another angle, Thomas Reid. Many of the questions that concern philosophers and sociologists today about how the mind and society pre-shape our perceptions of reality were initially formulated in that eighteenth-century milieu. Notions of ideology that inform our current understanding of politics owe a debt to that period.

More generally, the Scots preferred to take a natural scientific perspective on human society, what Dugald Stewart later called 'theoretical or conjectural history', seeing society as a long-term evolutionary process. We tend to forget that the idea of social evolution was around long before Darwin put forward his theory of biological evolution in 1859. The Scots played a leading role in developing this perspective. They

asked how such institutions as government, law and private property developed over time, identifying conditions that stimulated shifts from one form of society to another. While some, such as Adam Smith and William Robertson, tended to portray this evolution as one of 'progress', in terms of prosperity and material conditions and the advance of knowledge, others, such as Adam Ferguson, were more circumspect, worrying about the corrosive effects of impersonal commercial society on the basic human bonds of fellowship.

The more ambitious evolutionary paradigms of the nineteenth century have roots in the speculations of the Scots. The evolutionary stages of 'savagery, barbarism and civilisation' favoured by anthropologists such as Lewis H Morgan and Edward Taylor, and the sequence of feudalism, capitalism and communism envisioned by Marx and Engels, both share in this search for a developmental logic in human history. In the twentieth century, T H Marshal's model of an evolution of civic, political and, finally, social rights again echoes the Scottish approach. So when people today debate about whether the social, economic and political changes we see around us are for good or ill, and counterpose interpretations of progress and decline, they are revisiting debates begun by the Scots 250 years ago.

Society and government

In addition to this historical perspective, the Scots were also interested in understanding society as a system governed by fundamental principles of human nature that were constant across time. As we have seen, the Scottish Enlightenment conception of society was one that emphasised social interdependence and the role of feeling in social bonds. By studying a combination of sources, including classic texts from Rome and Greece, contemporary ethnographic reports about societies in the 'New World' and observations about their own society, they attempted to create a general view of humanity. The Scots (especially Hume) were highly critical of arguments that had become popular since the seventeenth century to the effect that humans began in a 'state of nature', pitted one against the other until they established a common society and government by making a 'social contract' with one another. They argued that, whether due to instinct, family ties or our capacity to establish friendships, we have always lived in societies.

If not some original 'contract', what holds society together? The Scottish answer was that we are creatures of habit and custom, that we learn over the long term what works tolerably well to solve our practical and social problems, and that these ways of doing things become established conventions and institutions (for example, rules of marriage, inheritance and economic exchange). In this approach they anticipated the anthropologist's functionalist conception of culture. This view came with a certain scepticism about explicit ideological attempts to define and shape society. In common with many later forms of conservative thought, they tended to doubt our ability deliberately to transcend established social conventions. They did not oppose social change (it would be hard to do so and also advocate 'progress'), but they felt that one must work with, rather than against, the grain of custom. Thus 'civil society' (what we would call government and an inclination to live by its laws) was seen as evolving gradually out of antecedent institutions such as the family and kinship.

This meant that in explaining the dynamics of society, the Scots often stressed processes that are unconscious and implicit, fascinated as much by the 'unintended consequences' of human action as by the intended ones. Thus Adam Ferguson believed that social conflicts between groups and nations had the unintended positive consequence of strengthening social bonds within groups and nations, promoting the evolution of civil society. More famously,

Adam Smith argued that the pursuit of personal economic interest in the marketplace tended to increase the general level of prosperity in society as though individual actions were guided by an 'invisible hand'. Here again we can see the roots of ways of looking at society that still inform disciplines such as sociology and social policy, with their searches for the hidden causes of societal problems and attempts to anticipate the effects of social planning.

Morality and justice

For Smith, the 'invisible hand' was only part of the story. He shared a common concern with his peers for understanding the role of 'sympathy' and 'fellow feeling' in social behaviour as well. Far from seeing society as the sum of selfish individuals, he and others in his circle thought that human beings were so constituted that they were naturally sensitive to the emotions of those around them, either mirroring or resisting the feelings encountered in others. In fact, our desire to have others approve of us so that we can feel good about ourselves as much as through a desire for personal gain, was what Smith thought invisibly motivated our economic actions. Early figures in the Scottish Enlightenment such as Francis Hutcheson thought we had a 'moral sense' that allows us to distinguish right from wrong the way our other senses allow us to tell hot from cold or red from blue. Later figures such as Hume and Smith argued that our ability to adjust ourselves to each other's feelings was more of an adaptive trait: we learn to share the same moral values because it helps us live together. This did not lead them into discussions of moral relativism (i.e. the view that any values will do as long as they are shared) because they tended to assume that people are basically the same everywhere and will tend toward similar principles of right and wrong, despite considerable surface variations.

These conceptions of morality provided the foundations for their theories of justice. Hume saw justice as an 'artificial virtue' based upon the 'natural virtues' of life in the family. In other words, when we establish laws and institutions for judging fairly between claims, what we are doing is creating something in the image of a compassionate, even-handed and virtuous head of a family trying to take a capacity for fairness that evolves out of our basic social nature and generalising it through social convention. In a similar way, Adam Smith spoke of the 'impartial spectator' that sits within our breast. We have a capacity to put ourselves in other people's shoes and to imagine how we would feel in their situation. We do this all the time in trying to evaluate the appropriateness of others' feelings and behaviour. In fact, we do this so much that we develop a generalised perspective on what is appropriate in most situations, and this view of the 'impartial spectator' functions as what we call a conscience, guiding our behaviour in the first instance.

In these attempts to provide a naturalistic explanation of morality, rather than one based on philosophical reasoning or religious prescription, we can see the beginnings of a kind of social psychology. More generally, political and social theorists are still debating the social bases of justice in similar terms. Some liberal theorists (for example, John Rawls) think of justice as the rules that uncoerced rational individuals would agree to live by if they had the chance. Communitarian theorists, on the other hand, say that our sense of justice can only develop naturally and historically and cannot be arrived at through abstraction. In arguing that morals have a natural historical basis, the Scottish Enlightenment thinkers opened up some of the basic questions of the modern era that preoccupy liberal democratic societies: who has the authority to establish values? how do we adjudicate between incompatible moral systems? is there a shared core to liberal values?

Conclusion

Our understanding of politics and democracy is one that has been significantly shaped by the social scientific approaches first formulated in the Scottish Enlightenment. Though social, economic and political institutions have changed profoundly since that time, the ideas generated then have a clear modern ring in that those thinkers and writers were generally concerned with the conditions for increasing human liberty, and their minds were trained on the same basic issues and problems and possibilities that our democracies today have been crafted to deal with.

Questions for discussion

1. **Read the letters and editorials pages of several newspapers. To what degree are the writers replaying issues originally debated in the Scottish Enlightenment?**
2. **Given their views on human nature, how might the Scottish Enlightenment thinkers have gone about designing a Scottish Parliament?**
3. **There are many ways of trying to achieve democracy. Which versions that are around today do you think the Enlightenment Scots would have preferred?**

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Democratic intellectualism

ROBERT ANDERSON

'Democratic intellectualism' refers to the historical claim that Scotland's educational system has been based on a uniquely democratic inheritance. The term was first used by Walter Elliot, the reform-minded Conservative Secretary of State in the 1930s, and was given a highly influential form in George Davie's book *The Democratic Intellect* (1961). Davie is a philosopher, and his book was a study of the philosophy taught in the universities. He claimed that the Scottish professional classes traditionally received a training based on general rather than specialised knowledge, which allowed them to keep in touch with a wide popular constituency. This philosophical tradition came ultimately from the 'social ethos' of the Calvinist Reformation, brought up to date by the thinkers of the eighteenth-century Enlightenment. In the late nineteenth century, however, it was undermined by the 'anglicisation' of the universities, which turned them into specialised and exclusive institutions.

Myth and reality

Many historians consider that Davie's detailed account of university development is flawed, but it is true that the traditional Scottish MA degree was based on a wide range of compulsory subjects – Latin and Greek, philosophy, mathematics and science – and that even when it became more specialised, with a split between Honours and Ordinary degrees, efforts were made to maintain breadth in the curriculum. This breadth, still apparent in Scottish Highers when compared to English A-levels, is today seen as the main legacy of democratic intellectualism. But the concept also has wider implications, related to the view that Scottish society was historically egalitarian, with less class division than in comparable societies. This can be described as a national 'myth' – meaning something which is not necessarily untrue, but which idealises and simplifies a complex reality. Such myths are important to the sense of national identity, and can have a positive effect in inspiring and guiding new developments.

The Scottish educational system was seen as a unified, national one at a very early stage – as early as John Knox – and its egalitarian tendencies were reflected in widespread literacy, in a tradition of self-education and argument, and in the relative accessibility of both secondary schools and universities to pupils from modest social backgrounds and remote rural areas – often celebrated in the figure of the 'lad o' pairts'. The Scottish universities, unlike those in most other countries, had a close connection with rural schools – which before 1872 meant the parish schools which originally came under the wing of the church. In addition, because they were urban, non-residential institutions, they were relatively cheap to attend. But as Scotland became one of the most industrialised countries in the world in the nineteenth century, wide disparities of wealth and opportunity appeared. The chances which the rural 'lad o' pairts' may once have enjoyed in a pre-industrial Scotland of villages and small towns, were seldom available to the children of factory workers and miners.

The general tradition of democratic intellectualism was always more about chances for ambitious individuals than about community advancement. Moreover, a system which helped selected Scots to join the local or British élite was quite compatible with a mediocre education, authoritarian and unimaginative, for the mass of schoolchildren. As the term 'lad o' pairts' indicates, the system originally benefited only boys. Others who did not share fully in it until the twentieth century were Highlanders – debarred both by poverty and by a long-lasting bias against Gaelic – and Roman Catholics, a minority which was not only overwhelmingly urban and working-class, but long felt alienated from the Protestant religious values at the core of the 'democratic' ideal. It is only since the state took over the direction of education from

religious and voluntary bodies in 1872, with further reforms in 1918 and after the Second World War, that these various barriers have been broken down.

In other words (as one might expect), the democratisation of education has depended on the wider advance of democracy and on emancipatory forces such as the rise of the labour movement and the social effects of two world wars. The Education Act of 1872 created two new agencies through which political forces could work: the Scottish Education Department, which under that and later names has been a powerful agent of centralising bureaucratic uniformity, and elected school boards. The original school boards were an intensely local form of representation. There was one in each parish and town, and, although only ratepayers could vote for them until 1918, the franchise included women, who could also be members of the boards. Large school boards like those of Edinburgh and Glasgow were significant pioneers of reform, and when the boards were abolished in 1929 and education was absorbed into the general duties of local authorities, something was perhaps lost.

Developments in modern Scotland

The most obvious measure of the democratisation of intellect is the extension of formal education. Education did not become compulsory until 1872, and an effective minimum leaving age (of 14) was not established until 1901; this was raised to 15 in 1947 and 16 in 1973. Secondary schooling, long confined to the middle classes, did not become universal until the 1940s, and then only on a selective basis. Comprehensive education followed in the 1960s and has been broadly successful in Scotland, although in the larger cities it inevitably reflects the social differences between catchment areas and competition from independent schools. Comprehensive schools led to a growth in examination qualifications, which paved the way in turn for the expansion of higher education. Even in the 1950s, only 4 per cent or 5 per cent of the age-group attended universities and colleges. This had risen to 15 per cent by 1980, and has expanded since to around 50 per cent. Thus by any objective measure, Scotland is a far more educated society today than ever. But is there still a democratic deficit about which we should be concerned?

One aspect of the expansion of higher education has been equalisation of the chances of men and women, though their distribution between subjects remains uneven. Other inequalities have been largely overcome (Roman Catholics, Gaelic speakers) or are at least being tackled (ethnic minorities, disabled people). The most persistent inequalities are those of class, income and family background, which remain a major determinant of educational performance, and which help to reproduce privilege and inequality over the generations. The more education is left to the market, the more this is likely to happen, but the strong tradition in Scotland of seeing education as a public good, organised by a democratic society to promote equal chances, is an important countervailing force.

Current issues

A critical sector of debate today is higher education. The older universities now give access to the most prestigious careers, recruit widely outside Scotland and aim to keep up with international standards of scholarship and research. The newer ones however (and the colleges of further education) are more effective in serving local communities, in offering flexible degrees and in welcoming adults and other students who do not fit into the conventional pattern. It is vital that changes in student finance do not reinforce this difference in a way which limits access and equality of opportunity, or makes the best education available to the wealthiest instead of the most talented. This is today a more

significant issue than the university curriculum, where specialisation is now irreversible. If citizens are to be properly prepared to understand the complex range of scientific, social and international problems which confront them today, it is on the last years of secondary education that attention should focus. Highers, though superior in this respect to A-levels, remain incoherent and undemanding when compared with the corresponding school-leaving examinations in Europe. The Howie Report of 1992, which recommended a Scottish *baccalaureate*, remains a missed opportunity and an agenda for discussion. The other range of current issues are those involved in 'lifelong learning'. Perhaps because of its precociously wide access to schools and universities, Scotland did not develop a very strong tradition of adult education. In the early nineteenth century, Sunday schools and mechanics' institutes were important in filling the gaps for the new working class, but once primary education became compulsory, post-school education was mostly confined to technical classes for adolescents.

The Workers' Educational Association, which sought to give adults a taste of university-style liberal education, arrived late in Scotland, and it was only after the Second World War that technical colleges developed a broader mission of 'further' education and the universities expanded their extra-mural provision; Newbattle Abbey, Scotland's only adult residential college, opened in 1936. While democratic intellectualism focused on training individual Scots from a wide range of social backgrounds for élite positions, it was English thinkers like John Ruskin, William Morris and Richard Tawney who insisted that literature, science and art were the birthright of all, and that the aim of education was to enrich the mind, not simply to serve professional or vocational ends.

Today rapid social change, the demand for personal self-development, globalisation and the internet are all breaking down the old barriers between formal education and the rest of life, with results which are difficult to predict. The past cannot provide us with direct models for the future, but the tradition of democratic intellectualism can at least suggest that knowledge must be a public as well as an individual good, that it needs to reflect community pressures and traditions, and – returning finally to George Davie – that it needs to be broad and liberal if it is to be genuinely empowering.

Questions for discussion

1. **Has the formal equality of women in the educational system really led to equal opportunities?**
2. **How can the needs of the community be brought to bear on schools and colleges? Is the democratically elected local authority still the best way of doing this?**
3. **What could the Scottish Parliament do to make the Scottish approach to knowledge and culture more distinctive?**

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Civil society and the state

LINDSAY PATERSON

Introduction

The concept of civil society, and its relationship to the state became prominent in the discussion of Scottish politics in the 1980s and the 1990s as the country moved towards self-government. It was widely assumed that the Scottish civic institutions and voluntary associations would provide a reliable basis for a new democracy, and would prevent the parliament from betraying its founding principles of responsiveness and openness.

But what is this concept of civil society, in general and in Scotland? What has been the role of civil society in Scotland during the three centuries of Union with England? And what will the relationship between civil society and the Scottish Parliament be?

What is civil society?

General ideas

The term 'civil society' has acquired multiple meanings over the past two and a half centuries, at least three of which are relevant in Scotland.

The first is the best known. Civil society is simply those organisations which lie between the individual and the state. Examples are trades unions, pressure groups, non-governmental organisations (including the voluntary sector), civic institutions such as education, business enterprises, and the media. However, the apparently straightforward descriptive meaning is full of difficulties. Some writers would maintain that civil society covers only strictly voluntary activity that has no dependence on the state: thus state-sponsored education systems or state-subsidised artistic work would not count. That is close to the meaning it was given in eighteenth-century Scotland by thinkers such as Adam Ferguson, Adam Smith and David Hume, and later – very influentially – in nineteenth-century USA. However, as the power of the central state grew in the nineteenth and twentieth centuries, there were few areas of life that were wholly independent of the state, and so a rather broader definition grew to include all activities beyond those that were strictly private or that were strictly part of the central state apparatus – that is, beyond the parliament, the core civil service, the armed forces, the monarchy and the political executive in the form of prime minister and cabinet.

These two definitions provide the poles of debate. There are so many positions in between, corresponding to more and less restrictive definitions of civil society, that there are good reasons to doubt whether 'civil society' is a useful descriptive term at all. That brings us to the second meaning – the normative. Instead of being a description of some actually existing set of social institutions, civil society becomes an ideal to which society can aspire. This normative force was present from the start of the concept, in the eighteenth century, when a civil society of free association between independent citizens was contrasted with a society based on violence and exploitation. In the series of meanings deriving from that, civil society came to be contrasted to the state. The models of public relationships that could be found in the independent associations of civil society were contrasted with an alien state that oppressed people, stole their taxes and waged war.

The political response to this alienation between freely-associating citizens and the state can be summed up in the contrast between the two nineteenth-century political philosophers GWF Hegel and Karl Marx, whose ideas remain relevant, even though in radically different forms to those they imagined. Hegel believed that civil society could be the basis for a non-oppressive state, provided the state was built out of civil society. Essentially, the programme of political liberalism has sought to attain that. So, in this line of thinking, the aspiration is to construct a state that has its roots in civil society.

Marx, by contrast, believed that the problem lay in the very distinction between civil society and the state. The state was

oppressive because civil society contained gross inequalities of power and wealth. Whereas liberals emphasised the freedom to associate which underpinned civil society, followers of Marx's line of reasoning believed that radical political movements had to use the state to overturn the inequalities of civil society. Then, in this Marxian vision, both state and old forms of civil society would wither away and people would indeed associate freely for the first time ever.

Scottish ideas

These theoretical debates have resonated through Scottish politics in the last twenty years. After 1979, when the UK was governed by the Conservatives under Margaret Thatcher, the separation between the state and the civic institutions of Scotland seemed never to have been starker. It could readily be accepted that the state was oppressive. Not only did a growing majority of Scots not vote for the government, Scottish civil society (in the descriptive sense) was easily imagined to be the morally acceptable alternative: by its very nature, it seemed to embody the normative aspirations towards a better society than the Tories were allegedly creating.

Thus, comprehensive secondary schools, or the system of community education, could be seen as maintaining the strength of communities against the destructive forces of the market. The continuing relative strength of the Scottish trade union movement could be interpreted as a Scottish preference for solidarity. The ethical standards of many Scottish professions – teachers, doctors, nurses, social workers – could be taken as a signal of a Scottish moral community protecting the values of public services. The churches articulated a social vision against what seemed to be the harsh economic determinism of Thatcher. And so on: repeatedly, during the 1980s, signs were found that a vision of a fairer society could be had in civic Scotland.

The ultimate outcome of this was the Scottish Constitutional Convention, in which representatives of numerous elements of civil society helped to prepare the scheme for a Scottish parliament that was eventually endorsed in the 1997 referendum. The Hegelian ideal seemed to be close to realisation: the normative aspirations of civil society had reconstructed the state on the basis of the principles which civil society had kept intact during two decades of what was perceived to be alien rule.

Civil society in Scottish history

Before we can assess whether this aspiration can be realised, we need to examine rather more deeply the character of this civil society that challenged the UK state with such growing determination in the 1980s and 1990s. This history will provide some pointers as to how the relationship between civil society and the parliament will evolve.

The key starting point is the partial nature of the Union between the Scottish and English parliaments in 1707. That, famously, left intact the key pillars of Scottish autonomy – the church, the legal system, the system of education and local government. In the eighteenth century, these agencies essentially were the government of the nation, so Scotland had an administration based on civil society to a remarkable degree and the central state mostly kept out. Indeed, it was probably in part this milieu that stimulated Ferguson and his contemporaries to develop the ideas about civil society that became so influential on nineteenth-century thinkers. How could a nation survive, Hume wondered, when it had lost its monarch, its parliament and its army? The answer lay, he and his associates believed, in what he called 'the middling station' – what we have been calling civil society.

This system was reformed rather than overthrown in the nineteenth century. Local government was modernised and partially democratised, and around it there grew up an enormous variety of voluntary bodies

seeking to mitigate the worst effects of the market and, more positively, trying to build up a form of welfare that was public and yet not dependent on the state. That is where the resemblance to the USA is particularly strong. To be suspicious of the state was not to reject the very idea of society; it was simply to find in civil society a more authentic expression of people's social instincts than the central state could ever provide. Where the two countries differed, however, was in the location of that distant state. In the USA, especially after the civil war, the central state was indigenous. In Scotland it was not. For most people at that time it wasn't alien either: Scotland was British, and so was the state. But the state was definitely 'other', and the essence of the nation lay in the civic associations and institutions that lay close to people's daily and private lives.

The biggest change to all this came in the middle of the twentieth century, when the state acquired far more powers than ever before, and was subjected to unprecedented democratic control. It was the outcome of social democracy, drawing from Marx the view that civil society was a source of exploitation, and that only the state could rectify that. But this social democratic state did not abolish civil society; far from it. It strengthened it, not only in the sense that it built up new civic institutions (such as the health service) as well as renewing old ones (such as education), but also in its sponsorship of numerous networks of policy advice, of lobbying, and of partnerships to implement legislation. Some writers have called this the policy community – the institutional means by which Scottish preferences were presented to the state.

Ultimately, all this history is why civil society was so trusted by Scots during the Thatcher years. Not only could the civic institutions claim a lengthy Scottish heritage which the British state (and by then the Tories) struggled to understand, but they could also invoke their many successful roles in building up and sustaining the welfare state since the 1940s. Expressed in abstract terms, the movement for a Scottish parliament could be interpreted as civil society reclaiming the state. More concretely, we can also say that this whole movement was an attempt by civic Scotland to reclaim its historical role in the nation's development.

A language of social-democratic and moderate nationalism suited both these purposes well. Both social democracy and nationalism purport to be about community in that both challenge the unfettered operation of the market and, in Scotland, they coincide in the sense that the communities of civil society express a putative national ideal of social solidarity.

The future of civil society and the state in Scotland

The question now is whether there really will be a harmonious relationship between civil society and the new Scottish state in and around the parliament. Of course, all this history – both recent and older – will exert a very powerful pressure towards peaceful coexistence. The parliament is seeking to work by consensus, which in practice means respecting the consensus that is articulated by the civic institutions. These institutions will hold the parliament to account – not only in their submission to consultation exercises and their evidence to parliamentary committees, but also in their work in the Civic Forum, an institution explicitly dedicated to being the voice of civic Scotland. The ideal will be Hegelian still – that here will be a local Scottish state that is not differentiated from civil society, and in fact is the supreme embodiment of those civic principles which embody Scottish history and identity.

For all that his followers are now rather unfashionable, the spectre of Marx's social analysis returns to haunt all this. Civil society is not homogeneous, and in that lies the parliament's greatest opportunity and challenge. A minority current in the

campaigning for a parliament – most famously expressed repeatedly by Tom Nairn – has been the need to revolutionise civic Scotland, on the grounds that it is complacent, parochial, conservative and a means by which the voices of the powerless are excluded from public debate. A truly reforming parliament would have to challenge civil society on the grounds that the normative ideals it purports to uphold are at best imperfectly realised in its own practice.

According to this view, the notion of consensus politics is illusory, precisely because the civic bodies that are the only agencies which could construct a consensus are deeply divided from each other (and only the false unity of the anti-Tory years could ever have misled anyone into thinking otherwise). There was, for example, no consensus evident in civil society during the acrimony surrounding the repeal of the law which prevented local authorities 'promoting' homosexuality; and the Catholic church (and, more mutely, the other churches, Christian and non-Christian alike) was as divided from the teaching profession as it was possible to be, as was the national organisation representing school boards. More deeply, there will be little consensus within civil society about how to get rid of poverty. We can be sure that deliberately redistributive measures (which survey evidence shows have clear majority support in Scotland) will not be favoured by business, and yet will continue to be preferred by anti-poverty organisations and significant segments of political opinion, including the main current of thought in the Scottish National Party.

Questions for discussion

Clearly, the future relationship between civil society and the state in Scotland must recognise and address the ambiguities in the claims that Scottish democracy is being renewed.

1. **Should the parliament seek to be the ultimate expression of civil society? Should it base itself on civil society (by consensual working and so on) in an attempt to distinguish itself from the UK state?**
2. **Should the parliament challenge civil society, because of its complacency and conservatism?**
3. **Should the parliament cast light on the fissures in civil society so that the aspiration to consensual social relations can be exposed as an illusion?**

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Freedom, justice and equality

RUTH JONATHAN

Freedom, justice and equality: three democratic principles from which few members of a modern society – or their political representatives – would dissent. Across the political spectrum, or whatever our social role or condition, who would advocate tyranny and oppression rather than freedom, arbitrary unfairness rather than justice, or partiality and discrimination rather than equality? This consensus at the level of abstract principle, however, conceals deep disagreements between ordinary citizens, and between and within political parties, about what each of these principles means in practice for how we should organise the social world and conduct our relations with each other.

While we take for granted today that each of these democratic ideals is 'a good thing', disagreement arises over whether in particular cases you can have too much of a good thing. Even more seriously, when these ideals conflict, as in the real world they regularly do, decisions have to be made about which 'good thing' should take precedence. In our personal lives at home or in the workplace, negotiating these clashes between principles is not easy. In the public sphere, policy decisions inevitably prioritise particular ideals and commitments, with far-reaching consequences for people's lives, for the hallmark of any political party is the way in which its policy commitments tend to exhibit a general order of priority between our commonly held democratic ideals.

Freedom

It is not surprising that 'freedom' comes first in our familiar democratic rallying cry, just as it did in the French Revolution's *liberté, égalité, fraternité*, for without basic freedom for the citizen's voice to be heard, no further democratic demands can be made, no rights claimed or social arrangements negotiated. Whether on the field at Culloden, at the Paris barricades or at the Berlin Wall, 'freedom' has historically been first and foremost the people's demand for liberation from illegitimate rule. With the advent of a democratic state, constitutional arrangements are required to restrain the state's powers over citizens. The legal frameworks and institutions of civil and political society safeguard basic rights such as freedom of thought, conscience and expression and freedom of movement and association. These civil and political freedoms, sometimes called 'immunities', demarcate an inviolable area of personal autonomy where the state in a democracy may not encroach.

Democracy itself is no guarantee of freedom, of course, as John Stewart Mill showed in his famous essay *On Liberty*. People can be as readily oppressed by their fellow citizens or by the social rules and conventions of majorities or powerful interest groups as they can by the state or an individual tyrant. So we need an understanding of 'freedom' which ensures that social freedom, like civil and political liberty, is equally available to all members of society. Mill argued, almost 150 years ago now, that the only grounds for preventing mature individuals from acting as they choose is to prevent harm to others. We cannot justifiably interfere either because we think we know what is best for someone or because we want to coerce them to benefit some third party. People should be left to live out their own choices provided no-one else's interests are damaged. This position has been increasingly reflected in our social arrangements over the intervening period. Thus in Britain today, we can say what we like but not 'incite racial hatred'; we can go where we like subject to the laws of private property and traffic safety; we can, in general, do what we like except where it can be shown, or is widely believed, that our actions cause harm to others.

While we should not forget that these social freedoms are historically recent and geographically limited still, we must also remember that this paints a deceptively straightforward picture, even of our freedoms

here and now, for as the world becomes more socially complex – and also shrinks – our lives become more and more interdependent. It therefore becomes more difficult to decide what is 'my business alone' and hence subject to no-one's interference. Disputes over rights to smoke, to drive a car to work, to have free access to the wilderness or to use personal resources to get a better education for one's child are everyday examples.

While social freedoms are always subject to new demands and objections, and even civil and political freedoms remain contestable (witness immigration and asylum debates), perhaps the major disputes today surround the defensible scope of economic freedom. In the nineteenth century, free trade was one of the pillars on which the modern social order was built. Freedom of contract between individuals was to achieve efficiency and fairness in the production and exchange of goods, bringing supply and demand into balance and rewarding the hard-working and honest with material success and social promotion. Even then, many recognised that free agents had unequal bargaining power, and the Factory Acts of 1833, 1836 and 1842 restricted contracts for exploitative pay and conditions, however 'freely' entered into. As the twentieth century advanced, whilst social freedom gradually expanded, economic freedoms were hedged increasingly by legislation, fiscal policy and the power of state monopolies and trade unions. This trend went into reverse through the 1980s, with privatisation, financial deregulation, the repeal of much employment legislation and the extension of the practices and disciplines of the market into many areas of social life (such as health care and education), reinstating an early ideal of free markets.

This change in social arrangements was promoted – and hailed by many – as a victory for personal freedom over the encroaching power of the state. Whether it represents an increase in freedom (and cause for celebration) or a redistribution of freedoms to the unfair advantage of some (and is therefore cause for dismay) remains a matter of political dispute.

Justice

Once citizens establish their right to be heard, the first demand is for 'justice'. Justice is something we are all in favour of, not just for our own sake, but in principle. We have no trouble agreeing that wrongs should be righted where possible and punished where appropriate, that virtue should be rewarded and innocence respected, and that in a democracy the laws and rules we enact to achieve these ideals should apply equally to all 'without fear or favour'. Where we disagree, of course, is in what we identify as 'wrongs' and the appropriate response to them (witness disputes over the relative seriousness of 'white-' and 'blue-collar' crime, or crimes against the person versus those against property). These are debates over our judicial arrangements: disputes about what theorists call 'retributive justice'.

Far greater disagreements arise, however, on whether that is all there is to justice: whether a just society is simply one in which the judicial system functions fairly and people's basic freedoms (civil and political rights) are respected. Or is a just society one in which people are treated fairly beyond the scope of the civil and criminal law; where the opportunities and rewards of life are fairly shared out? These are issues of what theorists call 'distributive justice'.

We must first ask whether society should concern itself at all with how people fare in life, provided that none are unfairly discriminated against. Some maintain that good and bad fortune are simply facts of life and that we risk doing more harm than good when the state constrains an individual's freedom either to profit from talent, effort and good luck and or to reap the consequences of error. Others claim that circumstance can be weighted for or against us not by brute facts of nature or luck but by present or past social arrangements. Where

this is so, justice demands that society redress the balance, distributing rewards more fairly. It remains then to ask what a fair distribution would be: would a just society be one in which people got what they deserved, or what they needed? Thus in the real world, questions of justice give rise to complex controversies and are inseparable from considerations of freedom and equality.

Equality

If freedom and justice are problematic when we look closely, equality is more obviously so. It is the successful advance of claims to 'equality' which has brought the most sweeping social changes, from the demise of feudalism (giving equality for all before the law) to the universalising of the franchise (equal political rights) and the building of a basic welfare system (equal access to social goods like health care and education). But while increasing freedoms fuel demands for further freedom, the growth of equality weakens demands for its extension. Once civil and political equality is established, social and economic equality remain at issue and growth in these may not appeal to those whose power and resources would require redistribution. More seriously, many claim today that greater social and economic equality is bad for everybody, destroying innovation and incentive by failing to reward effort and trapping the disadvantaged in a cycle of dependence. Against this it is argued that as economic freedoms increase, so do inequalities, and that since the former result from policy choices, the latter must also be addressed through these as a matter of justice.

If it is accepted that inequality is something that can and should be socially addressed, the next questions are what equalities should be pursued, and how. Clearly a world in which everyone was equal in all respects would be neither possible nor desirable. That all must be equal before the law and that none should be debarred from social, economic or political opportunities on grounds of gender, race, ethnicity or religion are battles formally won in modern democracies. However, social and economic inequality remains a fact of life. Despite universal access to healthcare and education, for example, life expectancy and educational success retain worrying links with social dis/advantage. There are broadly three responses to acknowledging that a competitive world brings losers as well as winners.

The first response is to abolish the competition ('To each according to his need') – persuasive where some starve, but less so in an advanced democracy. The second is to make the competition fairer. This can be done by making opportunities more equal (providing additional help before or at school to youngsters in need; subsidising childcare for poorer families) or by additional redistribution of 'dominant goods' – things like money or education which open other doors – (progressive taxation for social redistribution; second chances to learn). Where equalising opportunities leave inequalities intractable, positive discrimination can be tried and has met with both success and resentment. The third response combines making the competition fairer with lessening the penalties for losing: this requires policy oversight of resource creation as well as redistribution. It is clear that each of these responses demands differing levels of concern with the fate of its citizens from the democratic state, balancing freedom and equality in pursuit of justice.

Freedom, justice and equality

We see that each of these principles conceals complex controversies which are interrelated both in theory and in practice. Equality of civil and political freedom is a defining characteristic of democracy. Democracy gives us the right and the responsibility to make decisions about social and economic freedoms and their equal availability to all. Perhaps the key debate

today is whether it is enough for everyone to be allowed the same freedoms, or whether there is a social responsibility to enable all to have not just the opportunity, but a reasonable likelihood of enjoying the life choices and chances now available to many.

If, then, there is more to justice than equality before the law, if a just society is one in which citizens co-operate to draw up the fairest possible rules for social competition, justice will require that the democratic state safeguard both citizen freedoms and their equal availability across society. For as our great- great- grandparents saw, unlimited economic freedoms risk multiplying social inequalities, to the detriment of justice. How to balance the claims of freedom, equality and justice will never be finally settled, of course. As circumstances evolve and we learn from our mistakes, every generation must address these questions anew.

Questions for discussion

1. **Discuss three types of action which look, at first sight, like 'my own affair', but which damage the interests of others. May my actions be restrained or controlled? If so, how and by whom?**
2. **Is fairness before the law all there is to justice?**
3. **Does 'equality of opportunity' tend to reduce inequality, or does it simply allow more open competition for unequal outcomes? Should we regret the latter?**

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Democracy and citizenship

DAVID CARR

Democracy is a form of government by consent: in a more specific and celebrated formulation, 'government of the people, by the people, for the people'. Democracy is essentially the idea that civil and political policies and disagreements should be decided (in ancient Greek assembly, Roman or US senate or British parliament) by open debate based upon reason and argument, rather than by custom, dogma or brute force. Regarded as a particular conception of individual and social justice, the democratic impulse is informed by a range of values – the most frequently cited of which are freedom and equality. Modern writers have sometimes argued that democracy in general and these values in particular have been shaped by the Judeo-Christian tradition of western European civilisation – but this belies equally common identification of the sources of democracy in pagan Greek antiquity.

Early western democracy

The citizens of ancient Athens can be fairly said to have pioneered the first recognisable form of democratic polity. However, none of the great ancient Greek philosophers, Socrates, Plato and Aristotle, were greatly enamoured with the democratic politics of their day – regarding them as open to a range of demagogic and populist corruptions and abuses. In the event, Aristotle defends a modified form of democracy – perhaps mainly by way of opposition to the extreme collectivism of Plato's *Republic*. The key difference between Plato and Aristotle is that the Platonic individual is entirely subservient to the requirements of the state, whereas the main purpose of the Aristotelian *polis* is to serve the interests, flourishing and liberty of its individual (enfranchised) members.

That said, few would nowadays regard Aristotelian polity as a just political arrangement – given the range of inequalities (such as slavery and gender discrimination) it was content to tolerate. In this regard, the democratic liberty which Aristotle defends is largely the negative freedom of the right of individuals to pursue their interests and enjoy their estates relatively free from state control and interference. The lesson to be learned from this, however, is that while freedom is certainly an indispensable condition of any recognisable democratic order, equality is in itself neither necessary nor sufficient for such association. A society which is free but unequal may still be recognisably democratic, and there could be egalitarian societies (communist regimes, perhaps) which could not be counted democratic insofar as they are unfree.

Democracy, justice and the grounds of civil reason

A society can only be considered a just society insofar as it is prepared to accord some degree of equal respect and fair treatment to all its citizens. It follows that there can be no just democracy without some measure of equality. It would appear to be this notion (rather than the root idea of individual liberty) which represents the peculiar contribution of the Judeo-Christian tradition to modern conceptions of democratic association – that democratic participation ought properly to be grounded in a concept of individual freedom which includes moral responsibility. This means according due recognition to the rights and needs of other members of the community.

Rousseau lays two crucial foundations for subsequent thinking about the character of democratic agency and engagement. The first is that the only true freedom is a kind of self-direction grounded in the recognition of a 'universal justice emanating from reason alone'. On this basis, the real freedom of moral autonomy consists in obedience to a universal moral law, which is independent of particular human motives and interests. The second is that proper democratic engagement rests upon regard for the common good expressed in the idea of the 'general will'. Democratic assent should be

based not upon self-interest but upon morally principled and unprejudiced concern for the general benefit of all citizens. From this viewpoint, a good democrat is one who would be prepared to sacrifice personal advantage in the cause of overall justice and fairness.

Kant's contribution to modern and contemporary conceptions of democracy and citizenship proceeds by refining and departing from Rousseau. He is greatly impressed by Rousseau's attempt to understand the responsible freedom of proper democratic participation in terms of the Judeo-Christian notion of universal moral law – and his ethical writings are largely concerned to give substance to this idea. Indeed, Kant's moral philosophy can be most simply understood as an elaboration of the Gospel idea that one should only do unto others what one would have them do unto you. From this viewpoint, Kant's influence on later theorists of liberal democracy is probably most evident in the (somewhat *un*Kantian) idea that there is something essentially contractual about the discourse of democratic and other rights. I cannot reasonably expect my claims to liberty and ownership to be respected by others if I am not willing to return the same respect to them. The freedom I may claim as a slave owner is little more than illusory: the notion of freedom without reciprocal moral respect is therefore logically untenable. Hence, the basic precondition of responsible (democratic) freedom for Kant is the principle of respect for persons, as (potentially) sources of autonomous moral agency equal (in at least this respect) to myself.

The cultivation of civic reason

Kant is unable to accept what Rousseau regards as a logical result of his idea that the autonomy of genuine democratic engagement is a product of disinterested moral reason. In his educational work *Emile*, Rousseau argues that moral reason is a product of reflection on universal moral law. Since reflection is apt to be distorted or corrupted by socially widespread prejudices of caste or class, the optimal moral education must be an asocial one. Rousseau's fictional pupil Emile is therefore to be shielded by his tutor as long as possible from such social infection to allow the unsullied growth of his moral reason. Kant explicitly rejects this view, arguing in his moral writings that a proper climate of civil democratic (in his terms 'republican') association, as well as opportunities for participation in democratic institutions and procedures, is pivotal for the proper development of qualities of democratic citizenship – for at least two reasons.

First, the moral sensibility of politically responsible reflection and self-direction requires nurturing in the soil of everyday democratic association. It cannot flourish in the oppressive or inequitable conditions of closed or undemocratic polities, or in isolation from such circumstances. In either of these conditions the seed of democratic intellect falls on stony ground. This initial point, however, is consequent upon a second more important one. Moral reflection is distinguished from scientific enquiry as a form of practical reason. It therefore requires actual practical occasions for its exercise: it cannot be learned in the classroom like mathematics, chemistry or history, but needs the rough and tumble of practical experience and commitment. Insofar as the cultivation of moral or practical wisdom is a requirement of responsible citizenship, it requires lived experience, occasions and opportunities for its development and exercise.

There is a strong case for a large practical component in any programme of education for democratic citizenship. But since its concern is with the controversial question of how to bring about a just society by democratic means, it should also be clear that we could expect little agreement about the form and content of any such

education. For example, what sorts of moral virtue should such education serve to promote? In this respect, we can observe that the responsible democratic agency canvassed by Rousseau and Kant – as well as such modern liberals as John Rawls – is grounded in a notion of positive freedom which contrasts markedly with the negative liberty of classical liberals and contemporary neo-liberals.

Stronger and weaker civil liberty

Positive liberty favours more, negative liberty enjoins less, in the way of state intervention for the alleviation or correction of inherited social inequalities. Although there is reasonably sane democratic ground for either of these emphases, there is an ever-present danger of their collapse into less acceptable and counter-democratic political extremes. One may see how an exaggerated inclination towards the elimination of inequality by state redistribution of wealth can easily lead to the tyrannical and anti-democratic excesses of rational planning associated with revolutionary socialism and communism. On the other hand, it is also clear how the *laissez-faire* economics or social Darwinism of extreme market liberals can widen the gap between the haves and have-nots, opening the door to equally oppressive tyrannies of individual and corporate wealth. In recent British politics, it has been democrats of more conservative temper who stress the negative liberal values and virtues of self-reliance and enterprise and democrats of more socialistic bent who emphasise the positive liberal virtues and values of care and compassion. One challenge for citizenship education may be to develop a model of civic virtue based on a reasonable balance of these potentially polarised tendencies, which might preclude fatal descent into undemocratic right or left extremes.

Another difficulty for any general democratic conception of citizenship grounded in some idea of universal justice has recently been raised by influential 'communitarian' social and political theorists, who argue that any such notion of citizenship is precluded by the absence of an overarching rationally agreed conception of justice. Many communitarians would agree with Aristotle that it is as unjust to treat unequals equally as it is to treat equals unequally. Communitarians point out that most liberal democracies are culturally diverse and that there are serious conflicts of moral value between different cultural constituencies. On this view, insofar as what counts as justice is liable to differ radically between cultures, any liberal notion of citizenship grounded in universal justice is just a pipe-dream – with correspondingly grave implications for the idea of citizenship education in pluralistic polities.

Further practical difficulties

There are also practical problems for any idea of citizenship grounded in direct democratic participation for the common good. Undoubtedly, the foremost of these relate to the fact that, unlike ancient or tribal assemblies and councils, any democratic engagement in the complex populous and developed economies of modernity must be a matter of representation rather than direct participation. This gives rise to a number of more particular difficulties. First, in the context of adversarial politics which characterise most developed liberal democratic polities, representation is insufficiently fine-grained for adequate reflection of individual points of view: individuals invariably find themselves faced with choices between packages of policies only some of which will have their unqualified assent. Second, many issues of general public concern may call for a level of professional or technical expertise which laypersons simply do not possess. Insofar as this is so, rank and file voters, at some remove from direct political decision making, may well feel impotent to influence public policy making in any significant way – even, worse still, that it is not their place to do so. In this respect, it remains the

major challenge to contemporary democrats to develop a conception of citizenship and public responsibility which shows that this is not so.

Questions for discussion

1. **Is democracy the best form of government?**
2. **What problems does the idea that citizenship depends on concern for the common good raise for the education of citizens in modern liberal democracies?**
3. **Consider in Scotland today, what, if any, politically defensible courses of action might be available to minorities whose views fall short of adequate democratic representation.**

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SECTION 2 –
MAJOR SCOTTISH INSTITUTIONS

The Scottish Parliament

ALICE BROWN

Introduction

Very rarely in a country's history does it get the chance to set up a new parliament, especially in peaceful circumstances. People in Scotland had such an opportunity in 1999 following the referendum in 1997 in which they endorsed plans to establish a parliament with tax-varying powers. When the parliament was officially opened by the Queen in July 1999, all the political leaders in Scotland, including those who had originally opposed constitutional change, gave their commitment to making the new legislature work. But for constitutional campaigners, creating a new parliament was not just seen as an end in itself. It was part of a vision of developing and building a new political culture and democratic system in Scotland that allowed for different relationships between the political process, politicians and the people. The following sets out the details of how the Scottish Parliament operates in practice and asks whether it is living up to the aspirations of some of its architects.

Planning a Scottish parliament

Before describing the way in which the parliament is organised and run, it is necessary to recall briefly the context in which plans for the new institution were finally agreed. During the long campaign for constitutional reform in Scotland, ideas were developed for a parliament that was different from the parliament in London. The Westminster Parliament was perceived by some to be unrepresentative and remote from the people, and undemocratic in its composition and ways of operating. Aspirations were articulated for a parliament in Scotland that was more representative of and accessible to the people, and which went some way to address the perceived 'democratic deficit'. A scheme for the parliament was drawn up under the auspices of the Scottish Constitutional Convention, which included representatives from the Scottish Labour Party and the Scottish Liberal Democrats as well as those from some of the smaller parties in Scotland and from local government. Importantly, it also included people from Scottish civil society such as representatives from the trade union movement, the churches, Scottish business, the voluntary sector, women's organisations and other bodies.

When the Convention published its final report in 1995, it contained proposals for a parliament elected under a system of proportional representation, the Additional Member System, that was designed to ensure a closer relationship between the votes cast for a party and the seats it obtained; an Electoral Agreement signed by the main political parties to provide for greater equality in the representation of men and women; and the power to vary taxation by up to three pence in the pound. The Convention also noted its hope that the new legislature would 'usher in a way of politics that is radically different from the rituals of Westminster, more participative, more creative, less confrontational' and that it would engender 'a culture of openness which will enable the people to see how decisions are being taken in their name, and why'.

Such sentiments were reflected in the White Paper on Devolution published by the Labour government soon after it was elected to office in 1997. Following the successful referendum in September of the same year, in which 74 per cent of those who voted supported a Scottish parliament and over 63 per cent endorsed the proposal that it should have tax-varying powers, the Secretary of State announced his decision to form a consultative steering group to draw up plans for the standing orders and procedures of the parliament. When this cross-party and non-party group published its report at the end of 1998, it proposed parliamentary arrangements based on four key principles:

- **Power-sharing:** the Parliament should embody and reflect the sharing of power between the people of Scotland, the legislators and the Scottish Executive;
- **Accountability:** the Scottish Executive should be accountable to the Scottish Parliament and the Parliament and Executive should be accountable to the people of Scotland;
- **Access and Participation:** the Scottish Parliament should be accessible, open and responsive, and develop procedures which make possible a participative approach to the development, consideration and scrutiny of policy and legislation;
- **Equal Opportunities:** the Scottish Parliament in its operation and appointments should recognise the need to promote equal opportunities for all.

With the publication of the Scotland Act in 1998, which incorporated many of the recommendations of the Scottish Constitutional Convention, the stage was set for the first democratic elections for the new Scottish Parliament.

The first elections for the Scottish Parliament

People in Scotland had the opportunity to vote twice in the elections for the Scottish Parliament held on 6 May 1999, first for a candidate of their choice and second for a party of their choice. *Table 1* illustrates the distribution of the votes and the seats between the political parties. It also demonstrates the way in which the new electoral system provided opportunities for smaller parties and independent candidates to be elected. As anticipated, no single party obtained an overall majority, which resulted in speculation about which party or parties would form the government. After a few days of intense negotiation, the most likely scenario emerged, namely a coalition between the Scottish Labour Party and the Scottish Liberal Democrats.

As *Table 2* shows, the campaign by women in Scotland, particularly the mechanism of 'twinning' (pairing male and female candidates in parliamentary constituencies) adopted by the Labour Party and the practice in the SNP of placing women high on the party lists, helped return 48 women among the 129 elected Members of the Scottish Parliament (MSPs). At 37 per

TABLE 1
Scottish Parliament Elections 1999

	Vote (%)		Seats			
	Constituency	Regional List	Constituency	Regional	Total	%
Conservative	15.6	15.4	0	18	18	14
Labour	38.8	3.8	53	3	56	43
Lib/Dems	14.2	12.5	12	5	17	13
SNP	28.7	27.0	7	28	35	27
Others	2.7	11.4	1	2	3 *	2
Totals			73	56	129	

* 1 Independent, 1 Scottish Socialist Party and 1 Scottish Green Party

TABLE 2
Gender Composition of the Scottish Parliament 1999

	Women Number	Men Number	Women %	Men %
Conservative	3	15	17	83
Labour	28	28	50	50
Lib/Dems	2	15	12	88
SNP	15	20	43	57
Others	0	3	0	10
Totals	48	81	37	63

cent this breaks all records for the representation of women in political élites in Scotland. To some extent, therefore, the electoral system did make advances in widening the representative nature of the new Parliament. It was unsuccessful, however, in securing the election of any candidates from ethnic minority groups.

The work of the Scottish Parliament

Transitional standing orders and procedures, based on the proposals outlined in the consultative steering group's report, governed the first meetings of the Parliament. The new MSPs took part in proceedings after taking the oath and their first business was the election of a Presiding Officer (Sir David Steel, a Liberal Democrat) and two Deputy Presiding Officers, one each from the SNP and the Labour Party. The late Donald Dewar, then leader of the Labour Party, was elected as the First Minister and he in turn appointed Jim Wallace, leader of the Liberal Democrats, as his deputy. The first Scottish Executive had 11 ministers (nine Labour and two Liberal Democrats), with an additional 11 junior ministers (nine Labour and two Liberal Democrats).

The newly-elected politicians endorsed other aspects of the consultative steering group's recommendations. For example, modern methods of working and times of meetings were agreed, with recess periods to coincide with Scottish school holidays and plenary and committee meetings normally held in public. A comprehensive information service was developed through the Scottish Parliament Information Centre and the Visitors' Centre. Both produce a wide range of materials, which are readily accessible and published in different languages. Information technology has been adopted as another tool for enhancing public involvement and information flows. An equal opportunities committee has been set up and a commitment to mainstream equal opportunities throughout the work of the Parliament has been reached. In addition, the Civic Forum and the Youth Parliament, which have been supported by the Parliament, are other ways of developing wider involvement in politics, as well as the programme for engagement with schools and colleges. Many MSPs themselves are genuinely more accessible and approachable, and with media coverage of the proceedings, the workings of the Parliament itself are more visible.

The Parliament has legislative responsibility for all devolved matters and all areas not reserved to Westminster. These include: local economic development, health, education and training, housing, transport, law and order, farming, fishing and forestry, the arts, sport, social work services and local services. It can also discuss, and take a view on, reserved matters such as defence and foreign policy, social security benefits and employment legislation. In considering the relationship between the Parliament and the policy programme of the executive, one of the founding aspirations was to develop a policy-making process that engendered a shift from a narrow conception of government to a more inclusive notion of governance. The parliamentary procedures were

designed to allow different channels and opportunities for civic groups and others to engage in the process and to allow public views to be heard. Parliamentary committees were established to play a key role in this regard and in providing a balance to the power of the executive. Sixteen committees were established and their membership reflected the political composition of the Parliament itself, i.e. no single party has a majority. Committees can seek evidence on legislation and on other matters of public concern from government ministers, civil servants and others; draw on expert advice; meet in different locations throughout Scotland and hold public inquiries; and, very importantly, initiate their own legislation. The aim is to have a better-informed public debate about policy, with a view to making better policy as a result. To a large extent, the committees have been seen as one of the success stories of the Parliament to date.

Theory into practice

So far, we have concentrated on some of the plans and aspirations that informed the establishment and running of the Scottish Parliament. Also, we have identified the features that distinguish the Parliament from its Westminster counterpart, including the electoral system, fairer representation, the power and role of parliamentary committees, the working methods, access to proceedings, politicians and information, the use of IT and other opportunities for public participation and involvement. While such aspects provide the potential for enhancing democracy, they do not in themselves guarantee it. Barriers to developing a new political culture and democratic system are not totally removed by establishing a new political institution. Certain attitudes persist. Political party organisation has not changed dramatically and there is continuity in some relationships, for example in the role of the civil service. In asking how the Parliament has fared so far, it is necessary also to distinguish between the Parliament itself, which includes all the political parties, and the Scottish Executive and coalition government, which is responsible for the policy programme.

Public perceptions of the Parliament are also influenced by media coverage. The Scottish media that played a part in supporting the idea of setting up a Scottish parliament did not waste time in becoming one of its major critics. In general, the media has been hostile, concentrating on controversial aspects such as the costs of the new parliament building at Holyrood, the salaries and allowances paid to MSPs, potential splits in the coalition government and tensions in the relationship with the House of Commons. Other political controversies have also dominated the early years, including the party differences over tuition fees for students in higher education and care for the elderly, the repeal of Section 2a (banning the 'promotion' of homosexuality in schools), the problems of the Scottish Qualifications Agency (the fiasco caused by incompetence in handling school exam results) and so on. A major blow for the Parliament was also delivered by the unexpected and untimely death of its First Minister, Donald Dewar in October 2000. Just one year later the Parliament had to cope with the resignation of its second First Minister, Henry McLeish. For a new institution, the Scottish Parliament has had to sustain a considerable number of shocks to the system.

More positively, the Parliament has also achieved a lot – the official statistics chart the range of policies discussed and legislation passed by the Parliament, the number of public petitions and parliamentary questions dealt with, the activities of the parliamentary committees and some measure of public interest in the operations of the new body. The work of the parliamentary committees has also allowed issues to become more visible and has involved the engagement of a wider range of people in

the process. Ultimately, of course, the Scottish Parliament and its politicians – not just Ministers and MSPs from the governing parties – will be judged by the Scottish people on the policies that are delivered. They will be concerned with the difference that the Parliament makes to their lives – to issues of concern such as health, education, employment, transport, housing and so on.

Conclusion

The establishment of a Scottish Parliament as a new institution with legislative responsibility over a wide range of domestic policies, provides a significant opportunity to enhance democracy in Scotland and to improve the process, quality and outcome of policy-making. In important respects, the Parliament is different from its Westminster counterpart and has shown its commitment to the core principles identified by the Consultative Steering Group, which are seen by some as a benchmark by which to judge the Parliament. Inevitably, the implementation of new procedures and ways of operating has not been straightforward and competing interpretations exist. Further political constraints have not been removed. At such an early stage in the life of the Parliament, when it is still learning and experimenting, it is too soon to reach firm conclusions. The potential for developing a more inclusive political culture and democratic system exists – the challenge remains as to whether it can be realised.

Questions for discussion

1. **Has the Scottish Parliament been successful in meeting the key principles recommended by the Consultative Steering Group?**
2. **Consider the major opportunities and constraints faced by the Scottish Parliament in trying to build a different kind of political culture and democratic system in Scotland.**
3. **What criteria should be used to judge the success of the Scottish Parliament?**

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The Scottish Executive

RICHARD PARRY

The name and the concept

The Scottish Executive is the government of Scotland – but it does not use that name. Understanding why is a good clue to the nature of the devolution settlement and to the democratic process in the new Scotland.

One important aspect of the pressure for devolution in the 1980s was the adoption of the Scottish Parliament as the stated goal of devolution campaigners – the Campaign for a Scottish Assembly became the Campaign for a Scottish Parliament. This proclaimed the continuity of the new legislative body with the pre-1707 Parliament and its legitimacy to make laws without constraint in the areas of devolved responsibility. The admission of a Parliament within the United Kingdom alongside Westminster was an important symbolic concession.

In the executive branch, the contention that there can be only one government in the United Kingdom remains decisive. What would be called the government at UK level – the collectivity of ministers and their officials – is in the Scotland Act (1998) given the name 'Scottish Administration'. The Act uses the term 'Scottish Executive' to describe the Scottish ministers and law officers – what in Whitehall would be called the Cabinet. But because Cabinet, unlike government, is not a legally defined term, the ministers were able to use it. The term 'Scottish Executive' then became adopted as the brand name of the administrative machine, the former Scottish Office with some additions. To add further confusion, there is a 'Scotland Office', a department of the UK Government serving the Secretary of State for Scotland.

Even if it were called the government, the Scottish Executive would still have a minority presence in the public sector in Scotland. Only about a third of civil servants in Scotland work for the Scottish Executive, the others being in non-devolved activities like social security, defence and tax collection. It is no wonder that Scottish Parliament is a much more comfortable and regularly used term than Scottish Executive. They should not be confused however. The division of powers in the devolved institutions is the same as at Westminster. Civil servants work for ministers, not MSPs, and the organisation of the administrative machine is kept well out of Parliament's hands.

How the Executive was formed

The Scottish Executive is a formal coalition of the Labour Party and the Liberal Democrats. The Liberal Democrat ministers speak for the whole Executive and are supported equally by the civil service machine; in return they are bound by collective responsibility and commit themselves to decisions led by the Labour majority. The partnership agreement signed between the parties contains deals on policy matters but also procedural arrangements. After Donald Dewar died and Henry McLeish resigned, the Liberal Democrat deputy Jim Wallace took over as acting First Minister rather than any Labour minister.

There are eleven ministers, but only seven departments, known as 'The Scottish Executive _____ Department'. They use a common design image and their personnel and corporate services are centralised. This reflects the fact that ministers were mapped on to something close to the departmental structure of the Scottish Office rather than being allowed to form their own empires or 'silos' (as happens, for instance, in Northern Ireland). Under Henry McLeish the ministerial and departmental structures became more closely aligned, but the ministerial portfolios announced by Jack McConnell on 27 November 2001 and described below move further away from the constant departmental pattern.

The departments of the Scottish Executive

Education: The minister was from 1999 to 2000 titled 'Children and Education' and since November 2001 'Education and

Young People' but the department was not, although it does have a Children and Young People Group. The department also deals with sport and culture issues liable to attract a good deal of attention, and which from November 2001 has a separate Minister for Tourism, Culture and Sport.

Development: This is a conglomerate department and until November 2001 had two Cabinet ministers. It encompasses the work of the Minister for Social Justice, which includes housing, planning and social inclusion, and the transport responsibilities of the Minister for Enterprise, Transport and Lifelong Learning.

Enterprise and Lifelong Learning: This is the Industry part of the former Scottish Office Education and Industry Department, with the addition of Higher and Further Education and a somewhat messy divide of post-16 education. It is the only department to be located in Glasgow.

Finance and Central Services: This is the newest department, formed in June 2001 by a merger of the Executive Secretariat (a collection of central support functions, including the Cabinet secretariat, the Policy Unit, information and communications, legal services and external relations). It also includes Scottish Executive Finance, which provides a centralised finance function for the whole Executive, most of which has no separate finance expertise of its own as well as local government. It creates a powerful central force for the First Minister and the Minister for Finance and Public Services. External relations are, since November 2001, the responsibility of the Deputy First Minister.

Health: This is a well-defined department, though it conceals an internal divide between the National Health Service (NHS) Management Executive, the Chief Medical Officer's commands and the policy divisions, partly resolved in 2000 by the appointment of a single Head of Department who is also NHS Chief Executive. Health has the most substantial corporate presence of any of the departments because it has its own finance and personnel expertise put in place to run the health service. It also has a better press operation and has the advantage of being based at St Andrew's House, close to the First Minister.

Justice: The former Home Department with responsibility for the largest executive agency (the Scottish Prison Service). The Crown Office (the prosecution service headed by the Lord Advocate, which before devolution was entirely separate from the Scottish Office) has not been absorbed into the Justice Department.

Environment and Rural Affairs: Formerly the Scottish Office Agriculture and Environment Department, this is responsible to the Liberal Democrat Minister for Environment and Rural Development; from 1999 to 2001 it was known as Rural Affairs, with its Environment function reporting to a separate Labour minister.

There is also a central support function reporting to the Permanent Secretary.

Corporate Services: This includes personnel, matters related to modernising government (the programme launched from the Cabinet Office in 1999) and questions of civil service reform, summed up in the phrase 'bringing people in and bringing people on'. In the Executive's case, this involves recruitment of outsiders (done at a senior level in 2000) and attempts to correct the poor record of representation of women and minorities in the senior ranks.

The ten deputy ministers are a curiosity in the system. They are not given any constitutional role in the Scotland Act and they do not service a network of cabinet committees as would happen at Westminster. The Executive seems rather overloaded

with ministers whilst the First Minister himself does not have any deputy minister support.

The civil service machine

The Scottish Office has made a smooth transition into its new 'brand name' of Scottish Executive and has consciously carried over organisational structures and styles of work from pre-devolution patterns. Its problem has been that the volume of work imposed on these structures is vastly greater – the number of ministers and ministerial meetings, drafting answers to parliamentary questions and letters from MSPs, primary and secondary legislation and evidence to parliamentary committees. The machine has started to worry about itself; Staff Surveys in 2000 and 2001 by the Central Research Unit have been seen as broadly encouraging but also showed some evidence of stress.

The Scottish cabinet system

The Scottish cabinet meets weekly on Tuesday at Bute House and its style is based on that of the UK cabinet: papers are circulated in advance, the agenda is carefully constructed, business is confidential and the bias is towards agreed action. The differences appear to be that meetings are longer, discussion is livelier, that two senior civil servants are around the cabinet table and able to chip in and the meetings are supplemented by day or half-day strategy sessions. There are also working groups on matters like drugs and social exclusion.

The Executive and the Parliament

The Executive's relations with Parliament have been slow to stabilise. Many members of the Scottish Parliament (MSPs) based their style upon the essentially confrontational relationships between government and opposition at Westminster, in which the civil service is preoccupied with providing defensive answers to questions and correspondence from MPs. Vigour in demanding this information is seen as the test of an energetic and able member and can also be a useful basis for generating media coverage. More recently at Westminster, select committees have become a basis of backbench power and a means of calling ministers and officials to account. Committees in the Scottish Parliament are more powerful than at Westminster and combine legislative and scrutiny responsibilities. Many civil servants have appeared before them and evidence has almost always been given in a friendly and co-operative spirit.

The Executive, the Scottish public sector and the public

Just as with the Scottish Office, the Executive moves most of its budget to local government, health boards and some other public agencies for spending. Control mechanisms here have been placed on a more centralised basis following the reorganisations of local government (in 1996) and the health service (in 1999) inherited by the Executive. Any attempt to transfer functions from local government or alter its financial basis, although entirely permissible under the Scotland Act, would be controversial and there have been no moves to take it forward. A small but significant change was to increase the level of non-domestic rates and leave them higher than in England.

Rather than use its legislative power, the Executive has sought to promote joint planning and co-operative working with local authorities and other public agencies through matters like community planning. It has also taken a closer control of 'quangos', arm's length public bodies (with the noteworthy absorption of Scottish Homes) into the civil service in 2001 as an agency of the Development Department – 'Communities Scotland'. In general the Executive is not the human face or delivery agency of government in Scotland, however. For officials, advising ministers and promoting their

objectives is the primary focus and further accountability – to the Parliament, let alone to non-legislative bodies like the Scottish Civic Forum – is an uncomfortable concept.

The Whitehall angle

In a devolved but non-federal system, the nature of relations with UK central government is a key matter of uncertainty. In this respect, pre-devolution planning was weak and was based around three institutions: the Office of the Secretary of State for Scotland (given the name Scotland Office), conceived as a small support staff in Whitehall; the Joint Ministerial Committee (JMC) of ministers from Whitehall and the devolved administrations meeting for various functional purposes; and the Memorandum of Understanding and Concordats (written statements on how devolved and non-devolved functions should relate). As might be expected, the political reality of these is different and less dependent on formal structures. The Secretary of State has been a much more prominent political actor than might have been expected and has had a leadership role for Scottish Labour MPs and the party in Scotland. The JMC has not met very much, but there have been a variety of *ad hoc* ministerial meetings, including ones on health chaired by the Prime Minister. The Memorandum and Concordats were slow to be issued (not until October 1999), but set in code in a wish to avoid surprises and resolve any problems at civil service level.

Conclusion

The Scottish Executive is not the complete government of Scotland because much public sector activity is not devolved and much of the spending power is in the hands of local government. But it does act as a Cabinet-based ministerial system reminiscent of Whitehall, though with a more tightly integrated ministerial machine that reflects the legacy of the Scottish Office.

Questions for discussion

1. **How can a reasonable working relationship between ministers, civil servants and MSPs be secured without impossible workloads and with the spirit of openness implied by the devolution project?**
2. **How far can devolution accelerate the breakdown of the 'Yes Minister' style of deferential but sometimes cynical attitudes of officials towards their political chiefs in favour of a more open and informal style?**
3. **How far will political pressures force ministers in the direction of 'departmentalitis' in which they seek their own administrative machine rather than rely on the corporate centre of the Executive?**

Further reading

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The web sites of the Parliament and Executive (www.scottish.parliament.uk and www.scotland.gov.uk) have much relevant material. On the former, the memorandum submitted by the Executive to the Scottish Parliament Procedures Committee's meeting of 30 October 2001 is a good statement of its view of Parliament-Executive relationships; on the latter, the Scottish Ministerial Code and Guide to Collective Decision-Making (1999) give insights into the way the Executive conducts its business.

The Scottish economy

BRIAN G M MAIN

Today, Scotland is a country comprising some 5.1 million people, of whom some 2.5 million are economically active (either in employment or looking for employment). As a fraction of the four million people aged 16 or over, this means some 62 per cent are economically active. Job seekers claiming benefit amount to some 123,000 (giving a 5 per cent unemployment rate) or, on a wider measure of the unemployed, some 175,000 people are seeking work (giving a 7 per cent unemployment rate). The value of the output of goods and services produced by this labour market activity in 1997 (ignoring taxes and oil-related activity in the North Sea, i.e. Scotland's Gross Domestic Product (GDP) at factor cost) was £56.2 billion, or £11,000 per capita. This places Scotland at some 95 per cent of the equivalent figure for the UK average, but puts it well ahead of both Wales and Northern Ireland, and on a par with the East Midlands. In international terms, while comparisons are complicated by having to find an appropriate conversion to common currencies, the evidence suggests that Scotland ranks towards the bottom of the fifteen EU countries, lying above Greece, Portugal and Spain. It remains nonetheless a relatively rich and prosperous country by world standards.

At the beginning of the twenty-first century, Scotland's economy has been radically transformed from the situation one hundred years earlier, when it was dominated by shipbuilding, coal mining, steel production and heavy engineering. In the present day, any snapshot of the Scottish economy would be certain to recognise strength in the financial sector, in the electronics sector ('Silicon Glen' being used to invoke some comparison with Silicon Valley in California), in North Sea oil activity, and in whisky (one of the UK's more important exports – a traditional sector with more recent success). As with all modern economies, there has been a marked move away from manufacturing towards services, with services accounting for 61 per cent of GDP (76 per cent of employment) while manufacturing is reduced to a still important 22 per cent of GDP (15 per cent of employment).

There are certainly sectors of the economy that remain weak. Deep mining has all but disappeared and textiles continue to live a precarious existence as do oil rig construction and shipbuilding. Nevertheless, the overall performance of the Scottish economy over recent years has been one of convergence with the rest of the UK, at least as measured by per capita GDP and by unemployment rates.

Public finance

Although the new Scottish Parliament has the, as yet unused, power to raise a modest amount of tax (through the Scottish Variable Rate, i.e. the possibility of varying the standard rate of income tax up or down by three percentage points), all taxes raised in Scotland flow to the UK Treasury, except council tax and non-domestic rates which go to the respective local authorities (of which there are 32 in Scotland). The UK government then remits a block grant to the Scottish Executive which can spend this as it chooses, within the defined range of the Scottish Parliament's responsibilities. Estimates for 1997-98 show that £26.7 billion of tax revenue was raised in Scotland (of which some £6.1 billion was income tax and £2.4 billion was council tax and non-domestic rates) and benefited from £32.1 billion of general government spending (£14.7 billion of this flowed in the form of a block grant through the Scottish Office, now the Scottish Executive). The major direct element of spending in Scotland by the UK government was the £9 billion spent as social security payments.

Although the finer points are hotly disputed by some political parties, these figures suggest that Scotland receives a relatively generous provision of UK public spending. Identifiable per capita government

expenditure is thought to run currently at nearly 18 per cent higher in Scotland than the overall UK average (with the English equivalent figure being some 4 per cent lower than the UK average). While particular considerations of remoteness and poor health, for example, can be used to justify such higher levels of spending, there is in place a formula called the Barnett formula which determines the size of the block grant and which will, over the years, work to bring the per capita levels of public spending in Scotland down to the UK average. Total public spending in Scotland may continue to grow, but it will be at a rate lower than that in England.

External balance

The Scottish economy is a very open one, in the sense that a large proportion of goods and services produced here are consumed outside of Scotland and a large proportion of goods and services consumed in Scotland are produced elsewhere. At producer prices, that is ignoring taxes, exports account for around 20 per cent of the value of all goods and services produced in Scotland. By a similar measure, imports account for some 21 per cent.

As a proportion, some 52 per cent of Scottish exports are *to* the rest of the UK and some 65 per cent of Scotland's imports are *from* the rest of the UK. Obviously, the economies of Scotland and those of the regions of the rest of the UK are particularly closely interlinked. This is due not only to physical proximity and a common language, but also to enjoying a common currency and no trade barriers. While the European Union moves slowly towards such economic integration, Scotland and England have had the last three hundred years (since 1707) to develop seamless connections in the trade of goods and services and in the mobility of capital and labour. For example, while Scotland retains two independent banks (the Bank of Scotland and the Royal Bank of Scotland), these, along with a wide range of other Scottish financial institutions, operate and compete in a UK-wide market and one that is becoming increasingly global. There are few, if any, sectors of the Scottish economy that cannot be characterised by this close integration with the rest of the UK.

The Scottish Parliament and economic policy in Scotland

The powers that are reserved by the UK government concern: competition policy (including import and export control); defence; employment legislation (including equal opportunities); foreign policy (including relations with the EU); macroeconomic policy (including monetary policy); regulation of the professions (including abortion, surrogacy, genetic research); regulatory standards (including weights and measures, time zones, post and telecoms); social security; and television and radio broadcasting. This means that, as of July 1999, the Scottish Parliament enjoyed devolved powers concerning: agriculture, fisheries and forestry; economic development; education; environment; health; housing; law and home affairs; local government; research and statistics for Scotland; social work; sport and arts; training; and transport.

Thus, while many of the essential aspects of economic life in Scotland are influenced by policy made in Westminster or, increasingly, Brussels, there is a substantial amount of policy discretion that is channelled through the Scottish Executive. Implementation in these devolved policy areas depends on the Scottish block grant. Some of this grant (around one third) is passed on to the 32 local authorities who add these central government funds to those they raise through council tax, non-domestic rates and various charges (e.g. council house rents) to operate the state school system, social work, law and order (police), road maintenance, leisure activities, refuse disposal and other

environmental activities and housing. Water and sewage are in the hands of three quasi-public water authorities (North, East and West of Scotland Water Authorities respectively) as, unlike England and Wales, this function has not been privatised but is funded through a levy made along with, but distinct from, the council tax. Another third or so of the block grant is used to fund the National Health Service in Scotland.

Given that control over the macro-economy (interest rates, tax rates, and the level of public spending) and control over labour market regulation and competition policy are all retained by Westminster, the scope for independent economic policy by the Scottish Executive is clearly limited and is essentially micro-economic in nature. In its Economic Report (2000), the Scottish Executive identifies the five drivers of productivity growth that underpin micro-economic policy formation. They are: investment, innovation and enterprise, education and skills, competition and regulation, and public sector productivity. Apart from the fourth, these are all susceptible to policy action by the Scottish Executive under the new constitutional settlement.

It is most obviously in the area of economic development that the Scottish Executive (and local authorities) can exert an influence on economic activity through encouraging business start-ups, business expansions and inward investment by use of Regional Selective Assistance and other incentive devices. Scottish Enterprise and Highland and Island Enterprise stand as the two main bodies that channel the Scottish Executive's support for training and business expansion into the economy. Highland and Island Enterprise faces the challenge of the recent loss of priority rating for EU Regional Development Funds. Divisions of Scottish Enterprise, such as Locate in Scotland, are already well established in their ability to attract foreign direct investment into Scotland, which does better in this respect than most other parts of the European Union.

Of course, expansion on these fronts requires additional funds. It is here that the challenge arises, as there is understandable competition for such funds from the various spending departments of the Scottish Executive, namely: Corporate Services; Development; Education, Enterprise and Lifelong Learning; Finance and Central Services; Health; Justice; and Environment and Rural Affairs. These are controlled by various ministries, namely: Education and Young People; Enterprise, Transport and Lifelong Learning; Environment and Rural Development; Finance and Public Services; Health and Community Care; Tourism, Culture and Sport; and Social Justice.

Current challenges

As explained above, the level of the Scottish block grant is essentially determined by the operation of the Barnett formula. The nature of this formula is such that, if rigorously followed, it will bring about eventual convergence of per capita public spending in the countries involved. The formula was first introduced as a stop-gap measure in the run up to the first devolution referendum. The original thought in regard to devolution had been that the allocation of public funds among the devolved constituencies of the UK should be based on a needs-assessment survey. Indeed, a first attempt at such a survey was carried out by the Treasury in the late 1970s. This found that Scotland's particular conditions could justify a higher level of per capita public spending (at around 16 per cent higher than England). At that time, the contemporary reality was a 22 per cent advantage. Until a regular mechanism (such as needs assessment) could be set in place, the then Secretary to the Treasury, Joel Barnett, suggested a population based formula to allocate any subsequent marginal changes in public expenditure.

The Barnett formula, as it came to be known, was to be updated to reflect

population changes. The failure of the first devolution referendum meant that no regular needs assessment exercise was introduced. The Barnett formula remained in place, but there was no updating to reflect population changes, and until the late 1990s there was little erosion of Scotland's higher relative level of provision. Two undertakings changed things. In the 'Portillo recalibration' the formula was adjusted to reflect population changes as at 1994, and in the 1997 'Darling undertaking' a commitment was given that this recalibration would occur every year, starting in 1999. These undertakings will end years of what was known as the Barnett-bypass, whereby Scotland continued to receive per capita increases in public spending that were equal, on a proportional basis, to those received in England, hence maintaining the relatively high provision in Scotland. Given the (often misunderstood) nature of the formula, a relative squeeze on public sector funds is now inevitable in Scotland. This will happen over a period when expectations are particularly heightened with regard to the possibilities that the new Scottish Parliament brings in terms of Scottish economic policy.

Conclusion

The political economy of Scotland has become all the more interesting since the establishment of the Scottish Parliament. While the range of policy measures over which it enjoys discretion is limited by statute, a further limitation is likely to be the increasing squeeze of public funds owing to the operation of the Barnett formula. This squeeze will come at a time when rival demands for funds will be more urgently made and more publicly debated than has been true at any time in Scotland's recent history. Public spending will almost certainly continue to rise in Scotland but it will be at a rate lower than that enjoyed by England. The emergence of Regional Development Agencies and elected city mayors in England is likely to lead to calls for the process of convergence already set in train by the Barnett formula to be expedited. Exciting economic policy options are available to the Scottish Executive but they are likely to be highly constrained by budgetary considerations.

Questions for discussion

1. **How meaningful is it to think in terms of the Scottish economy as distinct from that of the rest of the UK or, indeed, from the rest of the European Union?**
2. **Would a politically independent Scotland be better off in an economic sense?**
3. **To what extent can the Scottish Parliament influence Scotland's economic well-being when its funding is determined through the Barnett formula?**

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The Scottish education system

GORDON KIRK

The Scottish tradition: conflicting interpretations

The Act of Union of 1707 entitled Scotland's church, its law and its education to persist under Scottish control. These three key institutions, therefore, became ways of defining the identity of Scotland and of expressing national consciousness. To claim as a result that Scottish education was distinctive was to acknowledge that in many respects – for example, with regard to the pattern of higher education, the length of secondary schooling and the enforcement of a national curriculum – Scottish educational practices differed from those in England. It was also to affirm that Scottish education reflected Scottish aspirations and responded to Scottish needs; but, more than anything else, it was to assert that the nature of education in Scotland was to be determined by Scots themselves. Indeed, so jealously was the distinctiveness of the Scottish educational tradition protected that, to invalidate proposals for changes in curriculum assessment in the late 1980s, it was sufficient to maintain that they represented the 'Englishing' of Scottish education, the importing of aspects of a different, and possibly alien, tradition.

If there is agreement on the existence of a separate Scottish educational tradition, opinions differ on the quality of that tradition. Rival interpretations are offered by those who celebrate the Scottish tradition on the one hand, and those who seek to debunk it on the other. The defenders of the tradition claim that it gave expression to a community's assessment of the importance of education and was a powerful vehicle of social unity and social justice. They point to the establishment before the end of the sixteenth century of Scotland's five universities, supported by a system of burgh or town schools, and a network of parish schools; they invoke the meritocratic philosophy by which the poorest youngster ('the lad o' pairts') found his way to the university to sit alongside the sons of the wealthy; and they recall that flowering of intellectual genius in the late eighteenth century, the Scottish Enlightenment, which reflected an education system of unrivalled quality. The debunkers of that tradition despair at the reliance on past glories; they question the extensiveness of 'the lad o' pairts' tradition and certainly see no similar provision for 'the lass o' pairts'; they point to the weaknesses of that tradition's 'incorrigibly academic' emphasis; they condemn the divisiveness of a school system which separated Roman Catholic pupils from those of other denominations and an academically able élite from the rest, and they denounce a tradition that was so dependent on coercion and physical punishment.

A national system

Conflicting interpretations are also encountered in connection with current educational provision. It is held, for example, that in Scotland today education is a central social priority: it is a key to the national prosperity and well-being of the community, a vehicle for the nurturing of human capital which provides opportunities which will enable all to achieve their best potential. So crucial, indeed, is education to the public good, so vital to the proper ordering of the life of the community, that it has to be provided at public expense and subject to democratic control. The commitment to a publicly provided service can be gauged by the relative smallness of the independent sector in Scotland, with only about 2 per cent of pupils being educated outside the state system; and by the fact that only two schools out of 2,800 have taken advantage of 'opting-out' legislation to assert their independence from local authority control.

The existence of a national system of public education is manifested in various ways. A national agency, the Scottish Executive Education Department, is accountable

to the Scottish Parliament for the system; it operates through 32 education authorities who own the schools, employ the teachers and carry responsibility for the strategic development of the service in their area, operating within a national financial and regulatory framework, a national system of primary and secondary schools which provides, on a non-selective basis, education for children in the locality. A range of further education colleges and universities offer post-school academic, vocational and professional education.

An essential ingredient of a national system of school education is a common curriculum, which ensures that all pupils are exposed to those activities which provide the context for acquiring understanding, developing skills and nurturing the dispositions associated with social competence and the roles of adult life. These different studies and subjects represent the available ways of interpreting human experience and the social and physical environments. They are the tools of autonomy and therefore may be said to constitute the birthright of every child.

The national agency which offers advice to education authorities and schools on the curriculum, Learning and Teaching Scotland, is paralleled by the single agency, the Scottish Qualifications Authority, which sets national assessments and confers awards across the whole range of academic and vocational studies within an integrated framework. There is a national competence-based standard for initial teacher education which ensures that teachers are trained in accordance with the changing needs of the schools. Another national body, the General Teaching Council for Scotland, regulates standards of professional conduct and competence.

In all of these ways, Scotland can claim to have in place a public system of education, with all the necessary supporting services, which protects provision at an acceptable level and which extends opportunities to all young people in every part of the country. Moreover, a cadre of professional educationists, Her Majesty's Inspectorate (HMI), are responsible to the First Minister for ensuring that national standards are being maintained.

Current provision and its critics

National provision of education in Scotland, for all its achievements, nevertheless attracts criticism. It is maintained, in the first place, that standards in schools are not what they might be. Employers and universities complain about deficiencies in basic communication skills, regular reports from HMI draw attention to the disappointingly low levels of achievement in key areas, and international studies of achievement suggest that, if Scottish education was once considered the best in the world, there is now certainly no ground for maintaining that view. A second group of critics bemoan the dominance of the subject-based curriculum, particularly in the secondary school, and argue that it fails to fully nurture pupils' intellectual resourcefulness. Thirdly, it is maintained that the secondary curriculum, with its heavy academic bias, does not provide most pupils with a strong enough preparation for adult life. The evidence on poor health, inappropriate diet, drug and alcohol abuse, offending and other indicators of personal malfunctioning reinforces that view. Fourthly, it is claimed that participation rates at different levels of the educational system are less than satisfactory. Thus, in the early years, while it is gratifying to note that half of four-year-olds and one fifth of three-year-olds have experience of pre-school education, the remainder have no such experience. Then again, while a growing proportion of pupils are taking advantage of opportunities for extended education, it cannot be a matter for satisfaction that more than half of Scotland's school leavers have no further contact with an educational agency for the rest of their lives, and that women, people

from ethnic minorities and those from poor or disadvantaged backgrounds are significantly and systematically under-represented in higher education, despite strenuous attempts in recent years to extend access. Fifthly, perhaps the biggest blight on Scottish education is the large number of alienated and disaffected young people, whose lifestyle is such as to suggest that we are beginning to witness the emergence of a 'knowledge under-class', a group who may be said to live on the margins of society. Finally, it is claimed that Scottish education allocates too much expenditure to formal educational institutions such as schools, colleges and universities, and marginalises informal and community education. Consequently, opportunities for lifelong learning are significantly under-developed, apparently on the assumption that education has to be concentrated into the early years of life. On this analysis, there is significant scope for development if Scotland is to have the kind of educational service to which its people are entitled.

Standards and inclusion

The Scottish Parliament has shown itself to be aware of these shortcomings and is committed to addressing them. The two drivers of its current educational policy are *standards* and *inclusion*. In the national interest, and in the interests of young people themselves, the quality of education must be enhanced so that standards of achievement in schools are raised to be as good as the very best. The principle of inclusion requires that the standards to be raised are not those of a selected few but of all young people: the obstacles of disadvantage and disability need to be removed to enable all to achieve their best potential. The commitment to standards and inclusion, therefore, is creating a radical agenda for Scottish education today. A new national Qualification for Headship has been introduced; the standing of teaching is being enhanced, partly through an enlargement of the professional authority of the General Teaching Council for Scotland; and there is pressure on schools to enhance the standards of achievement. One of the first pieces of legislation to pass through the new Scottish Parliament was to require ministers and education authorities to accept responsibility for this and the latter are now obliged to report annually on their targets and their strategy for improvement. In these and other ways, all those working in the Scottish education service are being made aware of the imperative to raise the levels of achievement and to enhance the quality of education provided.

A related series of initiatives seeks to take forward the social inclusion agenda: funds are being made available for Gaelic medium instruction and for those with learning difficulties and disabilities; under the Excellence Fund an ambitious programme is being undertaken on alternatives to exclusion, the provision of study support for learners, early intervention, support for parents, the introduction of classroom assistants, the reduction of class sizes, and the provision of support for teachers' continuing professional development. All of these developments have the primary aim of enabling all young people to benefit from what the education system has to offer. Perhaps one of the most significant policy initiatives concerns the introduction of all-purpose community schools, staffed by teachers who are trained to work as members of inter-professional teams in an attempt to break the cycle of deprivation and to secure the fuller integration of young people into the life of the community.

Scottish education and the Scottish Parliament

The establishment of the Scottish Parliament should intensify the public discussion of educational issues, and that discussion should help to take forward the agenda of reform that is necessary to make Scotland a genuine 'learning society'. While there is

much in Scottish education to celebrate, the greatest danger is complacency. Certainly, there is now no excuse that educational developments in Scotland be hindered because we are expected to follow an agenda dictated from south of the border. It is now up to us.

Questions for discussion

1. **It has been claimed that Scottish society is relatively egalitarian and meritocratic, that ability and achievement (not rank or status) should determine success in the world, that public (rather than private) institutions should be the means of trying to bring about the good in society. Is there anything distinctively Scottish about such values? What is the difference between egalitarianism and meritocracy, and does this matter?**
2. **It has been suggested that 'resistance to change in working practices, reluctance to take on new challenges, unwillingness to accept leadership roles and reticence in the face of professional and bureaucratic authority are... recognisable features of life in Scotland'. To what extent does the Scottish education system promote these characteristics, and how might it help to eliminate them?**
3. **Do you think that common schooling is a necessary precondition for democratic living? If so, why? To what extent does your experience of Scottish education confirm or contradict this account of it?**

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BEST COPY AVAILABLE

The Scottish legal system

HECTOR MACQUEEN

In December 1997, Cadence Design Systems, a Californian microchip supplier, announced a major inward investment in Scotland which is expected to bring 1900 jobs to the country. Among the various attractions of Scotland named by the company was the Scottish legal system; particular reference was made to its stability, the willingness and open-mindedness of the Scottish legal profession, the speed with which contracts can be finalised under Scots law and the law of intellectual property. Also mentioned was the willingness of legislators to extend the law to facilitate intellectual property exchange.

Europe's first 'mixed' system of law

This story is a welcome reminder to Scottish lawyers of the merits which outsiders, even those from the high-tech world of information technology, can see in their system. Scots law has been around for a long time. Its mainstream history begins in the twelfth century after the kingdom of Scotland had developed in more or less its modern territorial form, and although there were attempts to merge it with the quite distinct English law after the Union of the Crowns in 1603, the 1707 Treaty for the Union of the Parliaments recognised and preserved Scottish law and the legal system. Crucially, however, the 1707 Treaty did provide that the 'laws concerning regulation of trade, customs and... excises [should] be the same in Scotland, from and after the Union, as in England'; it also allowed change to the law of 'private right' where that was for the 'evident utility' of the Scottish people.

One reason for the decision in 1707 not to seek amalgamation of Scots and English law was the substantial difference between the two systems in terms of both content and approach. The Common Law of England was essentially an insular product, all but closed to the influences which shaped the development of law elsewhere in Europe, including Scotland. The two central influences in Europe were the Civil Law, ultimately derived from the law of ancient Rome, and the Canon Law of the Catholic church – both taught in the universities. Physical and cultural proximity meant that English law played a role in the early development of Scots law, notably with regard to the feudal land law; but, unlike their English counterparts, Scottish lawyers also studied at continental universities, especially in France, Germany and the Low Countries, and as a result brought back to their domestic system the structures, concepts and substance of the learned laws. In consequence, Scots law became the first of what modern comparatists call the 'mixed' legal systems, combining features of the Continental and the Common laws. By 1707, key differences from English law included: the absence of any division between a legal and an equitable court structure with the consequence that ownership was (and is) an undivided concept in Scotland; the enforceability in Scots law of simple promises and contracts, even when made without consideration or return; the right to suspend performance of a contract if the other party failed to perform; and the recognition by Scottish courts and writers of a principle against unjustified enrichment some 300 years before that principle was finally accepted in England.

The eighteenth and nineteenth centuries in Britain saw the Industrial Revolution and the phenomenal growth of commerce and empire. This was the period when modern commercial law began to develop, and within the single market which had been created by the 1707 Union the perception was that in this field the rules should be the same, or at least similar, in result. Indeed, this has continued down to the present day, and the result is that it is possible to speak of a British law of companies, financial services, taxation, intellectual property, consumer protection and employment,

while very similar results will arise in the law of supply of goods and services, partnership, security rights and insolvency whether Scots or English law applies. Indeed, in many of these areas of law, the driving force is now the European Union, as it pursues the creation of a new and far larger single market and harmonisation of the law which regulates and facilitates that market. As part of the United Kingdom, Scotland is also part of the community. The traditionally European orientation of Scots law has perhaps led some of those trained in that discipline to have enthusiasm for the community and its works, and certainly helps to explain why two of the first three British judges in the Court of Justice of the European communities (Lord Mackenzie Stuart and David Edward) were Scots lawyers.

Returning to the nineteenth century, that period also saw the development in both countries of what in Scotland is called 'delict' and in England 'tort', both denoting the body of law under which a person injured through the fault or negligence of another may claim monetary compensation (damages) from that other. Although each law started from a rather different conceptual base, by 1932 it could be conceded in the great case of *Donoghue v Stevenson* (concerning the liability of a Paisley ginger beer manufacturer to a consumer for the illness caused by the presence of the decomposed remains of a snail in one of his bottles) that the two systems were now the same. It reflects something of the general pattern of development, however, that today the case would be dealt with under a piece of European legislation. Again, despite the absence of a law/equity jurisdictional divide which supported the development of a law of trusts in England, the trust was recognised early in Scotland, and has become a key part of modern legal practice as an efficient means of administering wealth and minimising tax. Nineteenth-century Scots lawyers also developed the law of contract along English lines when they recognised the right of a contracting party to terminate the contract following breach on the other side without having first to seek the authorisation of a court.

The legal profession

The Scottish legal profession itself developed somewhat along English lines, with a split between advocates, who had exclusive rights of audience in the higher courts, and solicitors, practising mainly in offices. This reflected very substantially the structure south of the border. A partial fusion took place following legislation in 1990, under which a solicitor might gain rights of audience as a solicitor-advocate. It is also now the case that an advocate may be instructed directly by a client without the intermediation of a solicitor.

Solicitors generally practise in partnership, but have so far resisted the idea of the 'multi-disciplinary' partnership in which one business would offer the client a variety of professional services. Very recently, however, the long-established and leading Edinburgh solicitors' firm Dundas and Wilson was sold to the international accountancy firm Arthur Andersen, and this may prove to be a first step in the direction of the multi-disciplinary enterprise in Scotland; McGrigor Donald of Glasgow followed suit at the end of 2001, linking up with the accountancy firm of KPMG. On the other hand, Scottish law firms specialising in commercial law now typically have offices in London and other major European cities and participate in network schemes linking them with other foreign law firms, enabling them to offer their services wherever their clients are doing business.

The Scottish court system

The Scottish court system is divided between criminal and civil (i.e. non-criminal) business. Criminal prosecutions are in the hands of the State, ultimately under the Lord Advocate (a government

minister). Most crimes are prosecuted in the local Sheriff or District Courts, but serious offences requiring stronger sentences go to the High Court of Justiciary. Trials are generally held in the area where the offence took place; appeals, usually against the sentence imposed, go to the High Court in Edinburgh.

Civil business is also conducted by a mix of local and central courts. The local courts are again those of the Sheriff, who has a very wide jurisdiction within his or her sheriffdom. The main central court is the Court of Session, which sits in Edinburgh. It too has a wide jurisdiction, with the result that very often a prospective litigant has a choice between it and the Sheriff Court. The courts are armed with wide remedial powers, which include the ability to compel the performance of contracts, to act quickly to prevent the commission of wrongs, to seize evidence in advance of litigation, and to execute their own judgements. As elsewhere, the courts have been criticised for the slowness of their procedures. In defence, it may often be the case that it is in the interests of at least one of the parties to make the litigation go slowly, but there is general acceptance of the principle that justice delayed is usually justice denied, and strenuous efforts to improve and accelerate procedures have been made in recent years. A striking example is the establishment of a special commercial judge in the Court of Session, with the express aim (very largely achieved) of ensuring the speedy and efficient despatch of commercial cases. It is now quite common for such cases to be dealt with within a period of six months.

In commercial matters, Scots law is generally committed to the principle of freedom of contract and giving effect to the intentions of contracting parties. This means that, when parties provide for the resolution of disputes by private arbitration, the courts accept without question that their jurisdiction is excluded, while at the same time being willing to enforce the arbiter's decision by judicial mechanisms. Legislation in 1990 also sought to create rules to make Scotland an attractive forum for international arbitration, and lawyers have taken with some enthusiasm to the practice of mediation and 'alternative dispute resolution'. In sum, therefore, the Scottish legal system has been trying hard for some time now to make itself a good place in which commercial disputes may be settled expeditiously and effectively, whether by formal or informal means. This of course leaves open the question of whether, if this can be done for business, can it also be done for other social interests?

The impact of the Scottish Parliament

What will be the impact upon the system of a Scottish Parliament? Scots private and criminal law is among the devolved matters. One of the complaints about the previous system was that the Westminster Parliament had little time for the reform of Scots law, and that much excellent work by the government's law reform body, the Scottish Law Commission, went unimplemented for lack of parliamentary opportunity. That deficiency may now be overcome, and the Scottish Parliament has already tackled such questions as the abolition of the last lingering traces of feudalism in land law and the problems of 'incapable adults'. It may soon go on to confront the completion of the modernisation of the law relating to the use of writing in contracts and to rights in security. On the other hand, much of what the government has called 'common market law' – that is, companies, financial services, intellectual property, employment and insolvency – is reserved to Westminster. But a Parliament is not just a legislature. There is nothing to stop the Members of the Scottish Parliament talking about reserved matters, and there is every chance that the lobby which they will provide will have an impact upon decision-making in Whitehall and, indeed, where nowadays it really matters, Brussels.

The Scotland Act subjected both the Parliament and the Scottish Executive to the European Convention on Human Rights; and from October 2000 the whole legal system came under the sway of Convention rights. The effect has already been considerable: Acts of the Scottish Parliament are subject to challenge in court, long-established features of the system such as temporary sheriffs have been swept away in a single case and lawyers are learning the full implications of such things as rights to a fair trial, liberty, privacy, freedom of expression and association. Working out exactly what all this means for the development of the law, whether by the Parliament or the courts, will be one of the major challenges of the new century.

Conclusion

If we now return to the Scottish investment made by Cadence Design Systems, it is perhaps possible to see some of the truth lying behind the claims made on behalf of Scots law as a factor in the company's decision. Perhaps one further comment is necessary. It was observed above that Scots law was Europe's first 'mixed' system, combining features of the English Common Law and Continental law. Today in Europe all legal systems are mixed, but none has had the length of experience in such mixing as the Scots. The Scottish Parliament, the activities of the legal profession and the burgeoning exposition of the law in the law faculties of Scottish universities, together provide an excellent shop window for the future of European law.

Questions for discussion

1. **In what way does the law affect your daily life?**
2. **What is the relationship between the rule of law and a democratic way of life?**
3. **How important do you think it is for Scotland to retain its own legal system? What priorities should it address?**

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The Church

DUNCAN B FORRESTER

I start, as is necessary, with a bit of history, for we cannot understand Scotland today and tomorrow without attending to the Scotland of yesterday, and the forces that shaped the nation as we know it.

The medieval church and Scottish nationhood

Throughout the Middle Ages, there was a subtle interplay between the Church and Scottish national identity. From long before the Declaration of Arbroath in 1320, the Church had tended to support the belief that Scotland was a nation, distinct from England, and neither in religion nor in politics subordinate to authorities south of the border. The story of St Regulus bringing the relics of the apostle Andrew to Kilrymont, now called St Andrews, emerged opportunely just at the time when Scotland needed to resist the claims of York, with its relics of St Peter, to superiority over Scotland. The medieval Scottish Church could be fiercely nationalist, and it helped over centuries to shape a widespread feeling that Scotland was a distinct Christian nation under God.

By the late Middle Ages, a popular movement had emerged, drawing on European conciliar ideas, in which one can see many seeds of the later development of Scottish democracy. This is well exemplified in Sir David Lindsay's drama *Ane Satyre of the Thrie Estaites* (1540), wonderfully revived at the first Edinburgh Festival. At the turning point of this drama, John the Commonweal, the ordinary poor Scot, supported by 'Gude Counsel' and 'Divine Correctioun', grasping the book of the gospels, denounces in turn the oppression and exploitation of the nobles, the burgesses and the Church, and calls for a purification of Church and State. This will be both a reformation of the Church and the establishment of justice for the poor and the weak in Scottish society. At the end of the play, poor John is vindicated as representative of all the poor and forgotten in Scotland:

Give John the Common-Weal ane gay garmoun,
Because the Common-Weal has been owrelookit,
That is the cause that Common-Weal is cruikit.
With singular profit he has been sae suppressit
That he is baith cauld, nakit and disgysit.

The message of the play was that a decent Scotland must be a just state in which there is a special care for the poor and an opposition to oppression.

The Scottish Reformation

The Reformation in Scotland, in contrast to the English Reformation, managed fairly successfully to harness a populist wave, and it was to a great extent a movement involving ordinary folk, a reformation from below rather than a reformation from above. John Knox appealed directly to the ordinary folk of Scotland – 'the dear commonalty of Scotland', he called them. He said that they were responsible before God for their government, and suggested that they, not just the nobles and magistrates and leaders of society, had an obligation, a duty before God, to resist tyranny and oppression. In the *Scots Confession* of 1560 we find among the 'Warkis reputit gude befoir God' the saving of innocent lives, the defence of the oppressed and 'to represse tyrannie', while obedience to superiors is only enjoined when it is not repugnant to God's commands and when the authorities do not 'passe over the bounds of their office', and are 'doing that thing quhilk appertains to [their] charge'.

The First Book of Discipline, through its emphasis on the need for education available to all, established the foundations of what became known far later as the 'democratic intellect'. *The Second Book of Discipline* not only continued an insistence that the Church should be independent of the state and should govern itself on what

were to become democratic principles, but also established throughout Scotland the Presbyterian system of church government which became a model of participatory democracy in the governance of the Church.

Presbyterian democracy

The system of governing the Church through 'courts' – the General Assembly, Synods, Presbyteries and a Kirk Session in every parish – provided for a long time not only a way of maintaining the independence of the Church from the control of the temporal powers, but a kind of alternative polity which did much to maintain a lively sense of Scottish national identity. Church courts were responsible for a range of important general responsibilities, particularly to do with education, poor relief and what today would be called welfare, as well as with matters of personal morality and the good order of the Kirk. In the towns, not infrequently the baillies and magistrates and members of the town council were also in another capacity the elders who comprised the Kirk Session. In country areas, there was often tension between the Kirk Session and the landowners, who wanted authority in return for the 'teinds' they paid to the Church and the responsibilities they had as heritors to maintain church buildings. The eighteenth and nineteen centuries were marked by frequent and often bitter disputes as government, the civil courts and the land-owning aristocracy sought to control the Church, and in particular to take away from the people the right to select their own ministers. Various secessions from the established Church in the eighteenth century and the Disruption of 1843 were precisely on the issue of the democratic polity of the Church and whether it should be able to operate free from political interference.

For our purposes, the important thing to note is that the system of church courts provided for some four hundred years a training in democracy which entered deeply into the Scottish psyche. What happened at Kirk Session and Presbytery was probably more important in many people's eyes, but until the establishment of the Scottish Parliament in 1999 the annual meetings of the General Assembly of the Church of Scotland were, in many ways, a kind of shadow Scottish Parliament. Not infrequently the Assembly claimed, rightly or wrongly, to speak for the Scottish people, and its composition was such that it presented a model of the strengths and the weaknesses of participative democracy. Within this Presbyterian structure many people – until recently, all men! – found a training in democratic procedures, a continuing stress on popular sovereignty, a suspicion of hierarchy, a belief that those who exercise power must be accountable for its use and a conviction that checks, balances and limits are necessary for the proper and constructive use of power. This was the school that gave John Smith and many another a passionate commitment to social justice, a belief in human equality and a conviction that democratic politics was important.

Roman Catholicism and democracy

Although there were significant pockets of continuing Roman Catholicism in Scotland after the Reformation, the nineteenth century immigration from Ireland made up the major part of the Roman Catholic Church in Scotland. Some of the aristocracy were Catholic, it is true, but Scottish Catholicism was predominantly working-class and radical. As they gradually assimilated – often against bitter opposition from the Protestant majority – into Scottish society and culture, it became clear that Roman Catholicism in Scotland shared a great deal of the Scottish Presbyterian heritage of asserting the freedom of the Church from state control, of belief in popular sovereignty and commitment to

democratic processes. More often than is commonly recognised in Scottish history, Presbyterians and Roman Catholics have been at one in affirming the independence of the church from the state and seeking to restructure society on a Christian basis. Particularly on peace and justice issues, Presbyterians and Roman Catholics often fought shoulder to shoulder. The Roman Catholic Church in Scotland was, to a considerable extent, identified with the Labour Party and, for a long time, rather suspicious of the Unionists and the Nationalists as believed, with some justice, to be Protestant parties.

The Scottish churches and democracy today

On a number of issues in recent times, the major Scottish churches took a markedly more radical position than did their English counterparts. This was true, for example, during the Gulf War in 1992, when the leaders of both the Church of Scotland and the Roman Catholic Church in Scotland were outspoken critics of the war, while their English counterparts gave solid support to the government. After it overcame its suspicion of the SNP as a Protestant organisation, the Roman Catholic Church was almost as enthusiastic and consistent in its support for devolution as the Church of Scotland. In its own social teaching, the principle of subsidiarity taught that decisions should be delegated whenever possible to the lowest level to give people as much control as possible over their own destiny. This was, of course, a standing invitation to devolution.

The contribution of the churches and of theology to the long debate about devolution and the future of Scotland was remarkable, with a range of notable figures playing major roles, most notably, perhaps, Canon Kenyon Wright and successive convenors of the Church of Scotland Church and Nation Committee. William Storrar drafted the 1988 Church and Nation report on the Constitution, which argued impressively that there was a distinct Scottish constitutional tradition which was deeply rooted in the history we have been exploring.

The challenge of today and tomorrow

In Scotland today, a radical impulse and a sense of community which have clear roots in the Scottish Christian tradition continue to flourish and be influential in politics. This was evident at the opening of the Scottish Parliament in July 1999. The proceedings were markedly informal, and started with a wonderful rendering by Sheena Wellington of Burns's great song, *'A man's a man, for a' that'*, a strongly egalitarian poem which pokes fun at a hierarchical ordering of society, and appears to be a secular expression of Christian egalitarianism. This was followed by the singing of the hundredth psalm to the Genevan 'plain tune' which had its origins in the Calvinist insistence that the people should play an active part in the music of worship, as in the life of civil society.

From 1707 until the late twentieth century, the Kirk was undoubtedly one of the major institutions of Scottish civil society, and probably the major influence in shaping a sense of Scottish national identity. The inscription on the plinth of the statue of John Knox in the quadrangle of New College reads as follows: 'Erected by Scotsmen who are mindful of the benefits conferred by John Knox on their native land'. For several centuries, for many – but never for all – Scots, John Knox and the Reformation he led were definitive for their understanding of what it meant to be a Scot, of Scottish national identity. When, in 1829, the first missionary of the Church of Scotland, Alexander Duff, went to Bengal, he modestly declared his task to be the raising up of an Indian Knox so that there might be a Reformation in India as the shaping of a new national identity; that

India might find a similar sense of nationhood and national identity and become a free nation.

The understanding of Scotland that the statue of John Knox in New College quadrangle expresses was never universally shared in Scotland and is now repudiated or forgotten by the preponderance of secular Scots who seem to wish to forget their history, or at least large tracts of history that were of great significance to their forbears. And the icon of John Knox has always excluded those who have difficulty in seeing that story as their story. We have seen, and are seeing, in Northern Ireland how stories, histories and memories of the past can become more and more distinct and opposed, without 'touching places'. Such conflicting memories fuel hostility and misunderstanding. Such divergent memories need to be healed and reconciled if they are to be resources for the democratic future of Scotland.

The key problem that the churches in Scotland have to face today is the nature of their contribution to the future of Scotland at a time when the churches are all in rapid numerical decline and Scotland is becoming a secular or post-Christian society in ways which were hardly imaginable fifty years ago. The pressing question for the Scottish churches at this time of crisis is whether and how they can continue to make a constructive and humane contribution to the development and sustaining of a democratic and tolerant Scotland in which justice, equality and decency are the hallmarks of civil society.

Questions for discussion

1. **How do you think the various faith communities in Scotland contribute to the strengthening of Scottish democracy?**
2. **Can you identify some elements in the religious history of Scotland that are influential in shaping our understanding of Scotland as a democratic nation?**
3. **Does it matter for democratic renewal that Scotland has become a largely secular or post-Christian society?**

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The welfare state

MICHAEL ADLER

Definitions of the welfare state

The term 'welfare state' can be applied to a state with a democratic political system, a market economy and a commitment to securing the welfare of all its citizens. It is sometimes assumed that levels of social expenditure, i.e. public expenditure on welfare benefits and services, reflect the state's commitment to welfare. However, it is not as simple as that. This is because doing so:

- treats expenditures which benefit the rich, such as on higher education or pension schemes for civil servants, in the same way as expenditures which benefit the poor, such as provisions for the unemployed;
- treats universal (as of right) programmes in the same way as residual (means-tested) ones;
- under-emphasises expenditure on prevention (which is often relatively cheap) and over-emphasises expenditure on treatment (which is usually relatively expensive) – good examples here are job creation and training (in the context of employment policy) and prevention and health promotion (in the context of health care);
- ignores fiscal welfare, such as the promotion of welfare through tax allowances and tax reliefs on income and wealth.

Gøsta Esping-Andersen (1990) has argued that, as markets become universal, the welfare of individuals comes to depend more and more on their purchasing power. However, the introduction of social rights implies a reduction in the importance of their market position, i.e. their ability to pay. According to Esping-Andersen, 'de-commodification' occurs when benefits or services are provided as a matter of right and when a person can maintain a livelihood without reliance on the market. Programmes of social expenditure, however, do not necessarily bring about significant de-commodification – they do so only if they substantially emancipate people from dependence on the market. This makes them very controversial. For instance, to the extent that they strengthen the position of the worker, they weaken the authority of the employer and for this reason, employers are often (but not always) hostile to them.

De-commodifying welfare states are relatively recent, and welfare states differ in the extent to which they achieve de-commodification. Esping-Andersen calculates de-commodification indices for old-age pensions, sickness and unemployment benefits as well as a total de-commodification score for 18 western countries. This indicates that welfare states cluster into three groups:

- The UK and other Anglo-Saxon nations have the lowest scores;
- Continental European countries have intermediate scores;
- Scandinavian countries (plus Austria, Belgium and the Netherlands) have the highest scores.

Each group of countries is associated with a distinctive type of welfare state with its own history and institutional arrangements. Esping-Andersen calls them *liberal*, *corporatist* and *social democratic* welfare states, and identifies their characteristics as follows:

- In liberal welfare states, provision takes the form of modest (flat rate) social insurance schemes and means-tested social assistance programmes, and de-commodification is minimal;
- In corporatist welfare states, separate (earnings-related) social insurance schemes for different occupational groups, such as salaried workers (middle classes) and waged workers (working classes) predominate, and there is a limited amount of de-commodification;
- In social democratic welfare states, there are universal (earnings-related) social insurance schemes for all, and de-commodification is extensive.

This approach raises a number of problems. Some are conceptual: for example, it is not self-evident that the extent of de-commodification is a good measure of the 'content' of the welfare state. Thus, feminists have argued that a better measure would be the extent to which the state has freed women from their traditional dependence on men. Other problems are methodological: for example, since there are no very obvious discontinuities in the distribution of de-commodification scores, it is not clear that welfare states can be divided into three 'regime types' on the basis of these scores. In any case, how should the Southern European (Mediterranean) welfare states or the welfare states associated with the 'Pacific Rim' or the formerly-communist states of Central and Eastern Europe be classified? In addition, Esping-Andersen's typology may well be a function of his focus on social security rather than, for example, health care. Although the British social security system has many of the characteristics associated with the 'liberal' model of welfare state provision, the National Health Service is a highly de-commodified system of health care which embodies many of the features of the 'social democratic' model. If that had been taken into account, it might have led to a different characterisation of the British welfare state.

A further problem with Esping-Andersen's approach is that it focuses on means, such as the forms of public provision. Many people nowadays prefer to focus on ends, such as on outcomes, irrespective of the ways of achieving them, and are quite indifferent about whether these outcomes are achieved through public, private, voluntary or informal measures. Examples of outcomes are reduced levels of poverty, morbidity and mortality on the one hand and more effective hospitals and schools on the other. A focus on outcomes is associated with the concept of a 'welfare society' rather than a welfare state.

Citizenship and the welfare state

In his celebrated essay *Citizenship and social class*, T H Marshall (1963) argues that citizenship is a status that is bestowed on everyone who is a full member of a community and points out that it refers to the rights and duties people have in common as citizens. Marshall claims that citizenship comprises three clusters of rights – civil rights, political rights and social rights:

- Civil rights refer to rights which are necessary for individual freedom (freedom of movement, freedom of assembly, freedom of speech and freedom of religion), the right to own property and conclude valid contracts, the right to work and the right to justice (*habeas corpus*, i.e. freedom from arbitrary arrest, the assumption of innocence until proven guilty and the right to a fair trial);
- Political rights comprise the right to participate in the exercise of political power both as a voter and as a candidate;
- Social rights embrace the right to 'a modicum of economic welfare and security and to live the life of a civilised person according to the standards of society'.

Marshall's focus was on the nation state. Based on an analysis of how citizenship developed in Britain, he claimed that the formative period for civil rights was the eighteenth century (more exactly the period between the Reformation and the first Reform Act in 1832), for political rights it was the nineteenth century and for social rights it was the twentieth century, although there was clearly some overlap. Thus, citizenship was built up sequentially in an evolutionary manner (civil rights came first, political rights next and social rights last). According to Marshall, the post-war welfare state represented the culmination of this evolutionary process.

Although Marshall's thesis has been very influential, it has also been subject to many criticisms. For example, it has been criticised for:

- its exclusive focus on the amelioration of class inequalities and for ignoring other forms of inequality, in particular gender inequalities;
- placing too much weight on rights and not enough on duties, emphasising entitlement at the expense of empowerment;
- being entirely about Britain and thus generalising from a single case, whereas critics have pointed out that citizenship did not develop in the same way in other countries;
- focusing on the nation state and ignoring those aspects of citizenship that derive from multi-lateral associations, like the European Union and international agreements like UN Conventions.

The post-war British welfare state which Marshall was writing about was a unitary state, and his account suggests that citizenship applied in the same way to all British citizens. However, as Lindsay Paterson (1994) has pointed out, Scotland has enjoyed a fair amount of autonomy within the UK. This reflects the distinctiveness of civil society in Scotland, and it follows from this relative autonomy that the meaning of citizenship in Scotland has been somewhat different from its meaning in other parts of the United Kingdom. The period since the end of the war has been one of great changes, and many of them have had considerable significance for citizenship.

The changing nature of citizenship

None of the three categories of rights that together comprise citizenship has been a closed book. In the field of civil rights, the passing of the Human Rights Act 1998 and the Scotland Act 1998, which incorporated the European Convention on Human Rights into domestic law, was perhaps the most significant enhancement of civil liberties to have taken place in the period in question. In the field of political rights, elections to the European Parliament and to the Scottish Parliament, and the use of a form of proportional representation in both cases, are arguably the most noteworthy developments. In the field of social rights, the passage of anti-discrimination legislation, the improved provisions for some groups (disabled people, for example) and the emphasis on returning to paid employment in various 'welfare to work' programmes have been some of the most significant recent changes. However, these enhancements of citizenship have been offset by other developments that have reduced its content. Notable examples are reductions in the availability of legal aid, restrictions on the rights of asylum seekers, the (alleged) diminution of the power of Parliament as well as cuts in the benefit levels for some less-favoured groups, in particular single parents and the unemployed. Citizenship has always been and will continue to be a highly contested concept. Thus, as we begin the new millennium, the meaning of citizenship and likewise the nature of the welfare state, are clearly very different to what they were fifty years ago.

The welfare state in Scotland

Does devolution mean that we can now talk about a distinctively Scottish welfare state? It is clearly not that simple. Although Scotland retained its own legal system and its own set of institutions for delivering welfare services when it became part of the United Kingdom in 1707 and now has its own Parliament which can legislate over many important areas of social policy (including health, education, housing and social work), it lacks many of the institutions that a welfare state needs. The Scottish Parliament can, in theory, increase the standard rate of income tax by up to three pence in the pound. However, even if

it were to do so, it would only be exercising an incremental tax-raising power since the bulk of taxation will continue to be levied on a UK-wide basis. Social security and employment are the two most important 'reserved' policy areas, but many others that are of central importance to the welfare state have likewise not been devolved.

Devolution itself represents a compromise and the welfare state to which it has given rise in Scotland is a hybrid one – British in some respects, Scottish in others. Some may argue that it has always been so but this is now simply more self-evident. However, there are some causes of concern. Public expenditure per head is substantially higher in Scotland than it is in England or in the UK as a whole – in 1996/97 it was 24 per cent above that for England and 19 per cent above the UK average. Public expenditure per head on welfare state programmes like health and education is likewise substantially higher than in England or the average for the UK. Gavin McCrone (1999) has pointed out that this has actually been the case for a good many years. It results from the application of the so-called 'Barnett formula', which ensures that the 'block grant' that is made to Scotland rises by the same amount as the increases in expenditure on comparable services in England. However, he warns that it would be a mistake to assume that this advantageous situation will continue indefinitely. This is both because the formula is no longer seen to be fair by most non-Scots, and because devolution is likely to make it more difficult for Scots to argue, as they have done very successfully in the past, that for various compelling reasons, the formula should be bypassed. Under pressure from English MPs, the UK Government has now given a commitment to adjust the formula to take account of the fact that Scotland's population has continued to fall as a proportion of the UK population and this adjustment can only lead to an erosion of Scotland's advantageous position. Thus, although the Scottish Parliament is free to pass its own legislation and set its own priorities, its budget is likely to fall. By using its tax-raising powers, it might succeed in shoring up the position in the short run but even this is unlikely to prevent a squeeze on expenditure in the longer run.

As far as the welfare state is concerned, Scotland may end up with greater control over fewer resources as better services, funded by substantially greater expenditures per head, are dragged down to the UK average. However, to the extent that higher levels of expenditure on welfare in Scotland have not, hitherto led to a better set of welfare outcomes, this may be the time to start thinking seriously about a welfare society, as distinct from a welfare state, and how this might be achieved.

Questions for discussion

1. **Does devolution mean that we can now talk about a Scottish welfare state?**
2. **In what ways does the meaning of citizenship in Scotland differ from its meaning elsewhere in the UK?**
3. **Is one of the tasks of the welfare state to promote greater social equality? If so, how ?**

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Local government in Scotland

RICHARD KERLEY

Introduction

Local government is probably the institution most taken for granted and yet is the one that has the most pervasive impact on all our daily lives. From a few days after we are born until we die, the services and facilities of local government will be important to us and our families. The council registers our birth through the Registrar's Office, and we are more than likely to be cremated or buried in a council facility. The extent to which local government impacts on our lives was described many years ago by one of the intellectual 'parents' of the modern state, Sydney Webb. He describes a man who would:

> ...walk along the municipal pavement, lit by municipal gas, swept by municipal brooms with municipal water, and seeing by the municipal clock in the municipal marketplace that he is too early to meet his children from the municipal school hard by the county lunatic asylum and municipal hospital, will... tell them not to walk through the municipal park but come by municipal tram... to the municipal library, gallery and museum... (Fraser, 1979)

That passage was written a little under one hundred years ago, and of course there have been many changes since then. Some commentators occasionally refer to a past golden age when local government was at the height of power and influence – but they can rarely agree exactly when that period was!

What is clear is that local government has changed dramatically over the years since Webb wrote. The evidence of that is – literally – all around. When you walk the streets, just look at the metal plates and hatches in the pavement and road. In Edinburgh, for example, you will find some that carry the letters ECES and others SoSWB. These refer to Edinburgh Corporation Electricity Supply and the South of Scotland Water Board. Both organisations are long gone, and local government is no longer responsible for electricity and water supply. There is the possibility of further change in local government in Scotland, and various ideas are currently being discussed by the Scottish Parliament, the Executive and other interested organisations. The purpose of this paper is to help readers think about what kind of local government we have in Scotland, what kind of local government we might want in the future and what changes we might see introduced.

Shaped by their environment?

Any discussion with people involved in local government will quickly turn to two key issues, roughly summarised as 'we are too controlled by government' and 'we do not have enough resources'. Both propositions are to some extent true, but both are equally arguable.

In Scotland, as in the rest of the UK, councils are creatures of statute. That is to say, the government has created them in their current form through legislation; it can change their shape, size, functions, powers, duties, the way they are elected and even who can be a councillor. The current 32 councils in Scotland were created by the Westminster Parliament with The Local Government (Scotland) Act 1994. If they are to be changed again in any way, that will be through an Act of the new Scottish Parliament. However, you cannot find out everything about our system of local government through looking at one piece of legislation on its own. How local government looks and what it does often involves a complicated array of different pieces of legislation, some of them going back to the nineteenth century.

Over many centuries, but particularly in the nineteenth century, a complex variety of bodies grew up both to govern and provide services. By the middle of the twentieth century, there was a rich mix of cities, burghs, districts and counties. The largest such as Glasgow, had many thousands of

people, some small burghs only had a population of a few hundred. By the 1960s, the system was generally thought to be ill-suited to a mobile, industrial society and there were many proposals for change. Local government in Scotland was reviewed in the late 1960s by a committee led by Lord Wheatley and reorganised in the mid-1970s. A whole raft of small councils was swept aside and in some cases, as many as twenty or more councils were amalgamated. The number of councils was reduced by about 80 per cent and a broadly two-tier system of local government was created on the mainland with nine regional councils and 53 district councils. In the three Island areas of Shetland, Orkney and the Western Isles, separate councils were established, creating some of the smallest councils in the UK.

The current arrangements

That local government system survived for a little over twenty years, when the last Conservative government legislated for further change. This created our current system by disaggregating some big regions such as Grampian, Lothian and Strathclyde and amalgamating them with smaller districts. Elsewhere, some areas such as Fife and Highland were retained and aggregated with districts. The three island councils were retained very much as they had been for 25 years, giving Scotland 32 councils in all, a proportional reduction of over 50 per cent in number. This same 1994 Act, which was deeply unpopular with local government and was not subject to any widespread consultation, also took the water supply and drainage services away from local government. The three public water authorities responsible for these services in Scotland are now being merged into one water authority for the whole of Scotland.

Since 1996 Scotland has had 32 councils, ranging in size from Glasgow to Orkney and all with the same functions and responsibilities. Councils are responsible for the provision of educational facilities and services from pre-school to 17/18 years of age; social work services; leisure and sporting facilities; most roads and everything associated with them such as lighting and maintenance, refuse collection and cleansing. They are the main providers of 'social housing' although their role in this is currently the subject of widespread debate. Councils are also responsible for many regulatory services. They grant planning consent for the construction and alteration of buildings and they regulate the actual construction process to ensure structural safety. They also carry responsibilities and powers for licensing a wide range of business activities that we all take for granted. Restaurants and food shops are inspected by council staff, as are taxi drivers, second-hand dealers – even tattooists and body piercers. Police and fire services are also a function of local government, but because of the requirements of scale that are now thought important in such services, these are often a shared responsibility of several councils. So, for example, the police force in the West of Scotland – Strathclyde Police – is controlled by representatives of eleven different councils, as is the Fire Brigade. Councils are also responsible for the co-ordination of emergency planning and the response to natural disasters such as floods and storms. As these changes have occurred, other services formerly run by councils – for example, the Careers Service or Children's Reporters – have also gradually been transferred to unelected bodies, usually known as 'quangos' (quasi-autonomous non-government organisations).

Key issues in local government reform

Although councils have for many years had similar powers, they have often been very effective in responding to particular local needs in different ways. Councils in the West of Scotland, where housing conditions were historically poor, pioneered the

development of council housing, sometimes with consequences that were not understood at the time – such as tenement clearance and the building of multi-storey towers for general housing use. Elsewhere, cities and large towns either built theatres for live entertainment or took them over from failing private ownership – as happened in Edinburgh, Glasgow and Aberdeen. Resort towns in areas such as the Ayrshire coast developed large sporting and entertainment facilities like the Magnum Centre in Irvine. In the Highlands and Islands, councils run ferries and harbours. So, although all councils were generally required to provide some public services (such as primary and secondary schooling), they were also empowered to use their discretion in developing other services and activities.

Local government has experienced a great deal of change over and above the reorganisation of boundaries and the big reduction in the number of councils that we saw in 1975 and again in 1996. For many years, it was generally assumed that, with the exception of major building work (which was generally done by private contractors), councils would directly employ their own staff to provide services. This arrangement was challenged by the Conservative governments of the 1980s which required councils to contract out services such as cleansing, catering, maintenance and most building-related activity through competitive bidding. It is still not entirely clear whether these changes achieved better or cheaper services, but such arrangements have now been enthusiastically adopted in one form or another by governments all around the world.

The current Labour government has removed the compulsory element of this, but requires councils to see if their services provide 'best value' for public money. If they do not, councils will be expected to look at alternative ways of providing services. In some councils, the requirement to review services in this way has also been driven by the changing economic environment. The City of Edinburgh Council, for example has entered into a collaborative arrangement with British Telecom to outsource some of its IT and communications requirements. This is partly a means of saving money, but also recognises that maintaining an internal IT service is very difficult because of high staff turnover in a competitive labour market.

At both Westminster and Holyrood, there has also been considerable pressure on councils to enter into arrangements for financing council capital projects through what are now known as Private and Public Partnerships, formerly Private Finance Initiative (PFI). This is an arrangement which effectively means private firms – or more often consortia of firms – build facilities such as schools and leisure centres (even council offices) and then lease them to the council over the long term. The arguments over whether this is desirable in principle, or even effective in terms of providing such facilities more cheaply, continue. In other areas such as housing, there is also pressure from the Executive for councils to transfer some or all of their rented houses away from local government control to bodies where private finance providers co-operate with housing associations and tenants' organisations.

Those responsible for local government in both Scotland and in the wider UK have also been heavily influenced by ideas about improving efficiency in ways in which council decisions are made. So councils, like many other public bodies, are now expected to review decision-making and management practices on a regular basis and to plan more effectively for the longer term. These trends have been encouraged by the conclusions of the McIntosh Commission which was set up to review how local government would adapt to the creation of the Scottish Parliament, and reported in 2000. The Executive subsequently established a working party on local democracy

and a panel to advise on management reform in local government, both of which proposed extensive changes in the ways in which councils are elected and the ways in which they are internally organised.

The Scottish Parliament and the Executive are still reviewing the manner in which councils are organised, and there is both encouragement and pressure on them to change the way council structures operate. There is enthusiasm for streamlining decision-making and some councils are moving toward the kind of cabinet system of councillor involvement that Edinburgh and East Renfrewshire councils have pioneered.

Conclusion

Local government in Scotland, as elsewhere, is facing unprecedented demands for change in its operations and the nature of the services it provides. Some of this is driven by political choice, but much of it by our changing expectations as citizens and residents. We compare local government to other organisations we deal with and expect the same type of treatment, even 'service', from government that we generally get from good shops and similar businesses. We expect more choice and we are more ready to complain, and ready to demand services relevant – even tailored – to our circumstances. That represents a tough task for local government in Scotland and one that some councils are now working hard to match.

Questions for discussion

1. **Does your council provide all the service your household requires? Should it do more or less?**
2. **Do public services have to be ultimately controlled by locally elected bodies or are there other ways of organising these services? What, if any, is the role of the private sector?**
3. **Do we need local councils at all? Are they an important and necessary part of democracy in Scotland?**

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The voluntary sector

CHRIS CLARK AND VIVIENE E CREE

What is the voluntary sector?

The work and activities of society are carried out by three 'sectors' or broad groups of formal organisations. The public or statutory sector comprises government and its agencies, including services like the NHS and local councils. The private or commercial sector consists of companies that trade in order to earn money for their owners and shareholders. The voluntary sector (sometimes called the third sector) stands in between. The voluntary sector, like the private sector, stands outside government; but like government, it aims to work primarily for the wider good of society rather than for the benefit of private owners. The voluntary sector is vital to a healthy society because it combines the initiative and independence of the private sector with the social responsibility of government.

The shape of the voluntary sector in Scotland

The voluntary sector in Scotland is involved in a wide range of activities, including social care and health services, economic and community development, education and training, campaigning and advocacy, culture and recreation. Voluntary organisations are extremely varied. Some, but not all, are registered charities – of the 44,000 voluntary organisations listed in Scotland in 2001, only 27,000 were registered charities. (In May 2001, the Scottish Charity Law Commission proposed a new definition of charitable status, and recommended the establishment of a new statutory body, Charity Scotland, to regulate charities and control fundraising activities. This is expected to lead to considerable changes in the numbers and kinds of charities in the years ahead.) Some voluntary organisations have no paid staff and rely solely on volunteer effort; others use paid staff as well as volunteers. The voluntary sector in Scotland employs 100,000 paid staff in total. In addition, about 300,000 people work as volunteers each year. While funding from government accounts for 26 per cent of the voluntary sector's overall income across Scotland, there are major differences between organisations. Some voluntary organisations are largely dependent on fundraising for income; others receive substantial funding from government agencies, both local and central. Voluntary organisations in Scotland also differ in size and location. A high proportion (86 per cent) are locally-based, providing services to a local authority district, town or city. But many of these are, in practice, branches of UK or Scottish organisations (such as Age Concern, Barnardo's, Scottish Association for Mental Health). (SCVO statistics, 2001.)

Those who make a commitment to carrying out voluntary work are themselves a diverse and varied group. Volunteers in the past carried a 'middle-class do-gooder' label, reflecting the religious underpinnings that originally accompanied ideas of voluntary service. Volunteers today are from all walks of life, ages and creeds. Agencies such as Stepping Stones and Homestart have been extremely successful in attracting young (and older) working-class mothers to their organisations, while the black and Asian voluntary sector in Scotland is vibrant and growing. Minority ethnic community members have started self-help groups in direct response to the lack of services provided for them by 'mainstream' social service agencies. Volunteers carry out a multiplicity of tasks and responsibilities. Some become 'hands-on' service providers – such as, counsellors, carers or befrienders. Others staff telephones or provide administrative backup, often putting to good use skills learned in the world of paid work. Others still become members of management and advisory committees, sometimes gaining experience in decision-making and planning processes for the first time.

The changing role of the voluntary sector

The role of the voluntary sector has changed considerably over the last one hundred years

or so. From the end of the nineteenth century onwards, there was a gradual shift in service provision away from voluntary agencies (who had provided the bulk of education, health and social care services) towards the statutory sector. After the Second World War, it was commonly expected that the voluntary sector would 'wither away' with the development of the new, ever stronger welfare state. This trend reached its high point in the 1960s, when the voluntary sector was widely thought to have no more than a residual, or at best complementary, role in relation to mainstream statutory provision.

In the 1970s and 1980s, new thinking on welfare emerged. It was recognised increasingly that the voluntary sector had an essential, distinctive role to play alongside the state. The idea of welfare pluralism acknowledged that the state could not – and should not – provide all social welfare services. Instead, statutory, voluntary and commercial agencies should work alongside one another to provide services in a mixed economy of care. At its most radical, *welfare pluralism* argued that voluntary action should replace statutory services. Instead of providing services directly, the state would merely allocate the funds and regulate the quality of services.

The foundations of the new discourse on welfare and the voluntary sector lay in a number of parallel developments – economic, social and political. A decline in the UK's economic competitiveness and a reorientation of fiscal and monetary policy led to the welfare state becoming a target for radical change. Groups such as women and disabled people were at the same time pushing for their needs to be recognised in the welfare state. The old welfare state came under attack from both the right and the left of the political divide.

One of the most significant periods for the voluntary sector was during the unemployment crisis of the 1980s when the then Conservative government turned, in near desperation, to the voluntary sector to find the cheap projects it needed in order to create substitute jobs. Government funding of the voluntary sector, through the Manpower Services Commission at that time, proved a watershed in the relationship between the voluntary sector and government. As unemployment started to recede, voluntary organisations pondered the hangover of binge government funding, while government focused its attention on using voluntary care organisations explicitly as a tool of government policy.

Today, voluntary agencies are increasingly being paid by local and central government to carry out mainstream services on its behalf. This is particularly evident in contracts for community care services that have developed since the early 1990s. Projects and funds again flow powerfully to the voluntary sector, but are now heavily escorted by new systems of regulation and control.

Government and the voluntary sector: themes of a relationship

The relationship between governments and the voluntary sector is complex but vital to a healthy democracy. The authority of government is based on the legal constitution of the country and voting in elections. Politicians claim that they act according to the will of the people. Nevertheless, the vote that is cast at the local council or Scottish or UK parliamentary election gives only an infinitesimal say in the running of the country. In reality, citizens can have much more influence over issues which really matter to them by working together in voluntary organisations. This works in two ways. Voluntary organisations are major direct providers of important services and social amenities. Just as important, voluntary organisations work to influence and change the way that government does things.

A classic text on voluntary agencies in the welfare state (Kramer,1981) identifies four key functions carried out by voluntary organisations:

1. The vanguard role – voluntary agencies innovate, pioneer, experiment and demonstrate programmes, some of which will be later adopted by statutory authorities;
2. The value guardian role – voluntary agencies are 'guards' of a host of social values, including altruism, social integration, self-help and democratic collective action;
3. The improver role – voluntary agencies mediate between the citizen and the state, and serve as a progressive force for enlightened social policy;
4. The service provider role – voluntary agencies may complement state provision with different services or they may extend public provision by providing similar services. They may also provide services directly for the state.

Today's politics signal another new phase in this old and complex relationship between the voluntary sector and the state. In the 'Third Way' neither government nor the voluntary sector should have overall control. The strong state of the Conservative years is to be replaced by a notion of partnership, summarised for the voluntary sector in compacts between the voluntary sector and government in each of the four countries of the UK. The *Scottish Compact* recognises the independence of the voluntary sector and acknowledges the distinctive roles of government and voluntary organisations. More than this, it welcomes the voluntary sector's role in promoting participation in civic society. The voluntary sector is no longer understood as a second-best, or adjunct to statutory provision; instead it is held to have a principal role in strengthening communities and in encouraging social inclusion and active citizenship.

Governance and active citizenship

In a democracy it is always hazardous for governments to try to tell people how they ought to behave. If they do, governments lay themselves open to the accusation that instead of respecting the will of the people as democracy requires, they are using their power illegitimately to serve their own narrow political interests. It is equally hazardous for governments to lay out what the people can expect from them, since attractive promises so easily made are often so difficult to achieve in practice (as the continuing debate over the NHS illustrates). There is a difficult balance to be struck between government and citizen. On the one side, what is needed is a strong yet citizen-responsive and accountable government; on the other, an active, responsible citizenship that neither undermines individual freedom nor merely provides a distraction from government inaction in vital areas of the public good.

There are several important initiatives that aim to redefine this relationship for the current political era. They include the *Scottish Compact* and the *Active Communities* strategy on volunteering and community action. They take their place alongside other policies and programmes such as the social inclusion strategy, the use of the National Lottery to support voluntary projects, the continuing focus on service contracts in relationships between voluntary agencies and local authorities, the promotion of local volunteering agencies in all Scottish local areas and Millennium Volunteers. With all these initiatives, it will be vital to the true development of democracy that important political issues are not merely papered over with the latest, politically-inspired formulae of generalised benevolent sentiment towards the noble heroes of voluntarism.

Voluntary action is the best means of achieving a proper balance of power and responsibility between government and citizen. It is through participation in voluntary organisations that ordinary citizens can best contribute to a social compact that truly reflects the priorities and values of the time. It is through the opportunities and

responsibilities of voluntary work – which may be in the public sector as much as in the voluntary sector – that citizens can be empowered, and promote the education of themselves and others for citizenship.

Questions for discussion

1. **Who should provide welfare services in Scotland? Who should pay for them?**
2. **How does the voluntary sector mediate between the citizen and the government?**
3. **What role does the voluntary sector have to play in promoting active citizenship and social inclusion?**

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The Civic Forum

VERNON GALLOWAY

Introduction

The role played by civil society over the past three centuries in the development of a largely autonomous national political culture in Scotland has been a distinctive feature of its history. When the Union of Parliaments took place in 1707, three civic institutions – the church, the law and education – retained their independence, and over the next 300 years developed a distinctively Scottish way of doing things. This civic triumvirate's continued existence made them a kind of government in exile, sometimes referred to as the 'Scottish Parliament-in-waiting'. Successive Westminster administrations learned that to do things effectively in Scotland, they needed to work closely with the civic establishment and, consequently, a close relationship emerged between civic bodies and the state. Over time, the tradition of civic engagement in governance grew to include a wider range of interests beyond the three core institutions. By the middle of the twentieth century, the relationship between civic organisations and the state had come to form the basis of what Lindsay Paterson characterises as the 'Scottish consensus'. For better or worse, it became a relationship with which the civic establishment in Scotland grew familiar and comfortable, but towards the end of the twentieth century it had come under threat.

One effect of the neo-liberal ideology and economics of successive Conservative governments during the 1980s was the undermining of this arrangement. As a result, a broad civic movement formed to campaign for a Scottish Parliament. The Scottish Constitutional Convention and the Campaign for a Scottish Assembly represented an alliance of political and civic bodies dedicated to the idea of a Scottish legislature and to the re-construction of a more consensual politics. Therefore it came as no surprise that, at the point when the Scottish Parliament came into existence, there was also a concerted effort to create a civic body capable of articulating a range of voices in civil society.

Inaugurated in 1999, soon after the election of the new Scottish Parliament, the Civic Forum emerged after a lengthy period of discussion and debate to co-ordinate the civic response to the new democratic climate. By early 2000, it was fully operational. Its current membership stands at over 700 bodies drawn from all areas of civic life including trade unions, churches, charities, non-governmental organisations, businesses, community groups and professional bodies – but not political parties. The membership meets in plenary sessions twice a year and elects a council which is representative of different broad categories of interest: advocacy and civil rights, education, transport, health, environment, housing, employment, agriculture and fisheries, church and faith, culture and recreation, economic development, social and community care, and international relations. Each of these categories has two designated representatives who are responsible for communication with their wider respective constituencies. There is also a management board for dealing with ongoing matters of policy and strategy. The forum receives core funding from the Scottish Executive which provides the organisation with staffing and an office base. The work of the Civic Forum centres around three core activities: facilitating legislative participation, promoting civic priorities and auditing democratic participation.

Facilitating legislative participation

Widening democratic participation in relation to the legislative process of the Parliament is at the forefront of the Forum's work. Policy forums are called at regular intervals to consider initiatives from the Scottish Executive. These are mainly consultative, bringing together otherwise disparate bodies from the civic sphere to consider legislation at an early stage. They are not necessarily intended to reach agreed responses, but rather to offer a range of

views on the legislation in question. There have, however, been a number of occasions when an agreed statement has been produced by a policy forum and delivered to the Executive or the Parliament. Policy forums have been brought together on a broad range of policy issues such as transport, education, land reform, housing, family law and care standards. They attempt to use a participatory approach to legislative scrutiny, engaging people in small group discussion and encouraging them to share ideas and concerns. Experts are used sparingly, only to inform discussion and debate. The Civic Forum also carries out independent consultation and soundings of public opinion on a contractual basis for the Executive. An example of this was the Future Scotland project which called together forums in four different areas of Scotland to discuss sustainable development.

This kind of extra-parliamentary consultative process clearly fulfils the role of a civic body acting as the scrutineer of public policy in the early stages of its development. However, it would be limited in its potential if it did not have the ability to continue to examine policy throughout the rest of the legislative process, and beyond. It is not yet clear how this process of ongoing scrutiny can be achieved by the Civic Forum, although there has been some discussion about the idea of rapporteurs who would act as observers in Parliamentary Committees. Similarly, if the Forum dealt only with policy ideas emanating from the Parliament or Executive, the charge could clearly be made that it was no more than a tool of government. It is, therefore, crucial for its credibility as an autonomous body that the Forum acts as a source for fresh policy ideas for the consideration of the Parliament. With this in view, the Forum has created a number of policy development groups which have a role in examining gaps in the policy agenda and proposing new initiatives. Perhaps the most innovative aspect of this approach is that these groups form round areas of broad concern such as citizenship, discrimination and international relations.

Promoting civic priorities

The educational arm of the Civic Forum will be of crucial importance to its overall strategy of widening democratic participation. The political culture of Scotland today has developed over many years and consequently has adopted many of the authoritarian and adversarial practices that characterise Westminster-style politics. This has had a negative effect on popular democratic participation because ordinary citizens often feel powerless to effect change. Finding new ways of thinking and acting to counter cynicism and apathy is a long-term educational task. Both Scottish politicians and the electorate must also find new ways of relating to each other.

The Civic Forum sees itself as providing an educational role model both in terms of its own practices and in the organisation of its programmes of learning. It uses a range of educational methods to engage its membership in an open dialogue which allows for a sense of collective ownership of decisions. This has led to a more transparent system of decision making which can counteract the sense of impotence that often characterises the experience of ordinary people in more hierarchical organisations. An example of this in practice can be seen at the Forum's plenary sessions where members can see their ideas turn into policy positions that are adopted by the Forum as a whole. Structured educational programmes, like 'Improving your lobbying skills', which are currently in the planning stage, also aim to enhance the capacity of civic groups to have more influence within the political process. In addition, there are plans to organise seminars for politicians to help them reflect on their own practices and procedures in relation to the widening democratic participation agenda.

If democratic participation is to be broader and more inclusive, it is essential

that the Civic Forum ensures its own democratic practices remain open and transparent. It is also vital to initiate educational programmes that develop citizens' understanding of the democratic process and their capacity to challenge it.

Auditing democratic participation

The third core activity of the Civic Forum is that of auditing the democratic process in Scotland. The Forum has established a research programme which aims both to audit civic society's engagement in the democratic process and monitor the Parliament's work in relation to its stated aims of creating policy with greater openness and accountability. It is hoped that this research will form the groundwork for a regular audit of civic participation and parliamentary practice. It will seek data from civic groups in relation to how they engage with the Parliament in order to assess the extent of their participation in the democratic process. The research will also consider how far the Executive and Parliament have made use of the consultative procedures that have been put in place, and gauge the concrete effect of this on the substance of policy. This is important to the work of the Forum as an independent scrutineer that can both encourage and criticise democratic practices within the political process.

Challenges, contradictions and tensions

The Civic Forum is a bold experiment which comes out of a well-established historical tradition of civic engagement in the political life of Scotland. However, it is also an experiment that is being conducted in the midst of profound social, cultural and economic change. While globalisation appears to undermine the power of the state and increase public cynicism about politics, there appears to be further demand, in some quarters, for more devolution of power. The Civic Forum must attempt to manage these tensions and encourage more direct participation in the political process while insisting on the new Scottish Parliament's political accountability. This is not an easy task. On the one hand, it must build on the historical expectation of Scottish civic society to be involved in the formation of public policy; on the other, it must expand the range of interests it represents.

Funding by the Executive presents a particular challenge to the Forum's claim to be an independent body that can, when necessary, bite the hand that feeds it. Its ability, in this sense, to be both mostly funded by the state but independent of it will be crucial to its credibility and will mostly determine people's attitude to it. Many will be wary of the consensual ideology built into the work of the Forum and it must therefore demonstrate its autonomy in order to secure people's trust and confidence.

It is clear that the Civic Forum has a difficult path to tread. Nevertheless, it continues to attract a significant degree of goodwill from a civic society that wants to see the experiment succeed. The renewal of democracy in Scotland will not be achieved by the Parliament alone. If we are to see any real change in the way that we act as a nation in the world, then we should all feel some sense of responsibility for this democratic challenge.

Questions for discussion

1. **Why can't the Scottish Parliament be left alone to get on with politics and policy-making?**
2. **In what ways is the Civic Forum different from the Scottish Parliament? Why does democracy need both?**
3. **Do you think that Scottish people are apathetic or cynical about politics? In what ways can the Civic Forum help to address this?**

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Scotland, the Union and the media

JOHN MacINNES

We have probably all been taught at some point that the three social institutions, guarded by the Treaty of Union, which kept Scottish society distinct from its English neighbour in the absence of its own Parliament and political system, were the law, education and the church. But there is a fourth 'institution' which has been at least as important for nourishing the idea of Scottish autonomy: the mass media. The Scottish press, and to a lesser extent, the broadcasting media, are influential, high profile and distinctly Scottish institutions. Despite three hundred years of the Union, the Scots still buy their own newspapers, listen to Scottish radio stations and watch (given the opportunity) Scottish television.

Newspapers

The press in Scotland used to divide into three categories: Scottish-based titles (for example *Herald*, *Daily Record*) English (London)-based titles (for example *Telegraph*, *Mirror*) and the expanding category of Scottish editions of English titles (for example *Sun*, *Express* and *Mail*). The dividing line between the last two groups has virtually disappeared, however. New technology has made it easier for British newspapers to create regional versions, encompassing television and sports reportage through to local news and even distinct copy and editorial comment provided by journalists based in Scotland. All London papers sold in Scotland are now 'Scottish' editions. However, the amount of Scottish-based copy and editorial distinctiveness varies greatly: the Scottish *Sun* is very different from its English equivalent while, aside from the television pages, the *Guardian* is virtually identical.

Between the two World Wars the 'regional' press elsewhere in Britain was consolidated into big ownership chains, and 'national' Fleet Street titles doubled their circulations. Scotland kept its broadsheets in Glasgow (*Herald*), Edinburgh (*Scotsman*), Dundee (*Courier*) and Aberdeen (*Press & Journal*). As is often the case, Scotland resembled continental Europe, where broadsheet papers are typically based in a particular city, more than England. Why did an independent Scottish press survive? One answer is distance from London, which complicated both the collection of information and the distribution of the product. As late as the 1970s, some London papers arrived in Aberdeen shortly before lunchtime. These were important considerations in the days of hot metal and telephones, but microelectronic technology now enables copy to be produced in one place and printed in another. The technological barriers which once protected an independent Scottish press have disappeared.

Newspaper content

The key factor in the distinctiveness of the Scottish press is content: it carries not just stories of regional or local interest but also national Scottish news which the English titles overlook. It discusses the political, economic and cultural relevance of developments to Scotland. Scottish-based papers regularly devote around five times as much space to Scottish news as the Scottish editions of the *Express* and *Sun* and an astonishing 30 times as much as some of the London based 'national' dailies, which barely manage one story a day. Conversely, the Scottish media rarely carry 'English' news unless it has implications for Scotland: so Westminster, for example, is heavily covered, whereas cricket is treated as a minority interest. Of course, the creation of the Scottish Parliament has become a focus for much of this reporting. Its activity regularly fills many pages in the Scottish editions. English editions of London papers rarely cover more than the most dramatic events at Holyrood.

The values of the Scottish press are also distinct. This was particularly visible during the final decade of the last Conservative government at Westminster. Not many London broadsheets greeted Mrs

Thatcher's resignation with the pithy 'good riddance' of *Scotland on Sunday*. In general, the Scottish press had been more hostile to the Conservatives, reflecting two factors: the political views of its audience and its concern to present itself as genuinely Scottish. The Scottish *Sun* chose to pursue its circulation war with the Labour-supporting *Daily Record* by discovering the virtues of Scottish Independence in 1992: backing the Tories was simply not a realistic marketing option. However, it has never been clear exactly what the balance of commercial and political considerations in this switch was. It allowed the *Sun* to portray itself as a Scottish paper, but it also meant that it gave implicit support to the SNP – the main political rival to the Labour Party. When the English *Sun* switched support to Labour in advance of the 1997 British General Election, the Scottish *Sun* did the same! This left the SNP complaining, with good cause, that in the Scottish Parliament elections of 1999 the Scottish Press was overwhelmingly pro-Labour.

In the 1980s there developed a conflation of national identity and political affiliation in much of the Scottish press: to be truly Scottish was to be anti-Thatcher. Whether this was a product of a decade of Great British nationalist hectoring from Mrs Thatcher as Prime Minister together with an economic policy seen as disastrous for Scotland, or represented a reaction to Thatcherism's ignorance of the relative autonomy of Scottish civil society is unclear. The desire of the Scottish press to emphasise its Scottishness comes back to economics. The press in Scotland pursues a mass audience and increasing circulation by defining and selling itself as Scottish, and articulating national Scottish issues. It was difficult to do this and support a party whose position on constitutional reform was so intransigent, although the *Press & Journal* and *Sunday Post* often did their best.

Change in the future

The autonomy of the Scottish press is by no means guaranteed to last for ever. There have been attempts to 'merge' Scottish titles with their English neighbours to establish British national titles. It seems likely that the late Robert Maxwell had such plans for the *Mirror* and *Record* in the 1980s until he was persuaded that this would undermine the success of the *Record*. Because the Scottish market is so much smaller than the English one, the potential circulations of Scottish papers are much smaller than their London counterparts, leaving them fewer resources to mount in-depth or documentary journalistic investigations, or to cover foreign news with their own staff. The last decade has seen substantial rationalisation of staff, and the introduction of new technology and working practices in most Scottish titles as proprietors try to keep costs as low as possible. Reporting on the Parliament has created new challenges for the Scottish press. It has been clear that much of the coverage of the Parliament has been surprisingly negative, especially given the previous consensus in the press about the desirability of devolution. Some commentators have attributed this to the difficulty the Scottish press has in providing a thorough and critical coverage of the Parliament and the Executive: a much more complex undertaking than its previous political agenda of examining the activities of the Secretary of State for Scotland and the Scottish Office.

Broadcasting

On the broadcasting side, things are subtly different. In order to maintain 'balance', producers cannot follow a 'nationalist' rhetoric, as some of the press does. However they do define the 'national interest' and frame of reference in Scottish as much as UK terms: if they didn't they would lose their audience. In the early 1990s this led to friction between the government and the BBC. The key question was, just what

constituted 'bias' or 'balance' when the party controlling the then Scottish Office had only 11 out of 72 MPs? Both the commercial and BBC networks provide popular 'opt-out' programming centred on news, sport and current affairs. It is done cheaply, however: a Scottish audience comprising only 9 per cent of the UK network means production costs and values must be kept modest. In the past this sometimes meant poor quality programmes relying rather heavily on tartan or kailyard images such as The White Heather Club or Thingummyjig. Scottish Television once produced a programme aimed at combining respect for the Sabbath with adventure. The title – *Airport Chaplain* – says it all. Recently things have improved: Rab C Nesbitt may be controversial but is hardly full of tartan or kailyard images of Scotland.

The UK network

Meanwhile, access to the national UK networks continues to be difficult. All the decisions and, not surprisingly, three-quarters of the programmes are made in London, and the centralising trend has been growing. In a recent year the BBC managed one hour of factual programmes from Scotland on the UK network. The percentage of programmes broadcast on the UK network from Scotland (around 1 per cent) is lower than it was three decades ago. This raises legitimate grievances about the drain of Scottish media jobs and talent down the M25 plug hole, while Scotland pays three times the amount in licence fees that the BBC spends there. But it also poses a major and fundamental problem about the future of the Union. How can its political culture flourish if the public in its constituent societies knows so little of life beyond London? (This can have its funny side: Professor Donald MacKay, chief executive of Scottish Enterprise recounts having to explain to a London TV producer in the 1970s that North Sea oil was found under the North Sea.) The English, Welsh or Northern Irish perception of Scottish affairs is nourished by little more than Taggart, Take the High Road and Rab C Nesbitt. If it is only the Scots themselves who hear their side of the story and if the constituent nations of the Union together with their Parliaments and Assemblies cannot communicate through the media, then the debate on the evolution of the Union and constitutional change will be impoverished.

Thus, while the Scottish media has often concerned itself with articulating and debating the issue of Scotland's identity, its constitutional position and the performance of the Union, and has seen these issues as germane to a raft of political and current affairs issues, its English colleagues have remained astonishingly ignorant of this. Things may have improved since 1992 when the ICM/ITN poll on Scottish attitudes to independence prompted one London broadsheet to dispatch a foreign editor north to check out the story while BBC Radio 4's Alan Little was plucked from Sarajevo and posted to Edinburgh! The revival of the devolution debate has, however, confirmed that it is often expatriate Scots writers in London who have the firmest grip of the issues.

Devolution and broadcasting

In order to cope with the new Parliament, BBC Scotland created around 30 extra posts to give greater depth of coverage. At the UK level the Corporation issued a new handbook laying out, for example, under what circumstances journalists and editors should use the terms 'Scottish', 'English' or 'British'. The BBC also reminded – worse still, informed – staff that the legislation regulating education, health and the legal system, to take just three examples, is distinct in Scotland and England, and that news stories hitherto sometimes flagged as British or UK-wide pertained only to England or to England and Wales. What the BBC governors did not do, despite strong

pressure from Scotland, was to sanction a Scottish Six: a news programme between six and seven o'clock using the UK-wide resources of the BBC's news and current affairs organisation but editing it with Scottish viewers and priorities in mind – much as Radio Scotland's Good Morning Scotland provides a parallel programme to Radio 4's Today. The reason for the BBC's reluctance is not clear. It certainly fits with a long tradition of BBC centralism and a desire to express cultural 'unity' within the diversity of the UK. Others, however, have argued that given the criticism the BBC had earlier suffered because of the limits on the autonomy it cedes to its Scottish operation, its failure to embrace the Scottish Six can only be attributed to political pressure behind the scenes to resist a devolution of broadcasting that might also encourage a devolution of political attitudes and allegiances.

Technology and politics

Finally, the only certain thing we can say for sure about the Scottish media in the future is that technological change will have dramatic consequences. The rise of the internet is already blurring the distinction between publishing and broadcasting. Satellite, digital and interactive TV may lead to the decreasing relevance of UK-wide or national scheduling of programmes. It also makes 'regulation', especially in a national context, much more difficult. This brings us to a final point: the regulation of the media is not a power devolved to the Scottish Parliament; it is a reserved power. Many have criticised this. For example, should Westminster decide that mergers in commercial TV companies are desirable to compete globally, the Scottish Parliament has no power to protect diversity of media ownership in Scotland. On the other hand, would a Scottish Parliament be able to effectively balance accountability in the media with political independence? In some other 'stateless nations' – such as Catalonia, for example – the ability to regulate the media has gone hand-in-hand with accusations of government interference and political bias.

Questions for discussion

1. **Why do you think the Scottish press's coverage of the Scottish Parliament has been, on the whole, 'surprisingly negative'?**
2. **Should the Scottish Parliament be given power to regulate broadcasting and publishing in Scotland?**
3. **What difference will the internet, satellite and cable make to the mass media in Scotland? Who is likely to benefit from these changes?**

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SECTION 3 –
CONTEMPORARY SCOTTISH IDENTITIES AND INTERESTS

Language, culture and identity

HARRY D WATSON

Introduction

As the above title implies, language, culture and identity are closely intertwined concepts. The culture of a particular community is mediated through its language, and from a shared language and culture comes identity. This in turn connects with the concept of 'ethnicity'. These are not airy-fairy abstract concepts, but powerful ideas that people have fought and bled for. Take the example of former Yugoslavia. As long as the late Marshal Tito held sway and the Communist system prevailed, ethnic divisions in that country were kept in check and officially discouraged. The language of Orthodox Serb, Catholic Croat and Bosnian Muslim alike was known as 'Serbo-Croat'. But in the aftermath of the conflict which dismembered the state, Serbs have spoken 'Serbian', Croats 'Croatian' and Muslim Bosnians 'Bosnian'. The language itself has not changed, but perceptions of it certainly have. Each ethno-religious group now demands that its own distinctive culture and identity be reflected in the name of the language it speaks.

Franco's Spain exemplifies another way in which language is crucial to ideas of culture and identity. During the dictator's long years in power, the Spanish language was promoted as the only acceptable language for the whole country, and regional languages such as Basque and Catalan (the tongue of the Barcelona region) were not allowed to be used in the media or education. Merely speaking Basque in public was a criminal offence. Not long after Franco's death, Catalan academics held an international conference in Barcelona, where delegates were allowed to make their contributions either in Catalan or in their native tongue. Simultaneous translation facilities were provided to enable the maximum amount of mutual comprehension. The only language banned from the proceedings was Spanish! In this way the Catalans managed to kill several birds with one stone: simultaneously getting their own back on the Spaniards for years of linguistic persecution, showing that their ancient tongue was not merely an outlandish form of Spanish but a sophisticated modern language in its own right, and, by using their language in so public a way, proclaiming their identity: 'We speak Catalan, therefore we are Catalans!'

The Scandinavian languages provide another interesting example of how language, culture and identity interact. In a three-cornered conversation between a Dane, a Swede and a Norwegian, each will speak in his or her own language, with a fair degree of mutual understanding. All three languages come from the same 'ancestor', known as Old Norse, so can we say that these people are simply speaking dialects of 'Scandinavian'? That might be a satisfactory conclusion for a neutral linguist, but our Dane, Norwegian and Swede would beg to differ. Norway spent almost five hundred years as part of the Danish empire, during which time the Norwegian language would have been regarded by most Danes as simply an odd and uncouth dialect of Danish. After Norwegians threw off the Danish yoke in 1814, they set about renewing their distinctive culture and searching for a new identity. One obvious way of demonstrating that they were not simply colonial Danes was to revive the ancient language of Norway, and before long a new national tongue – originally called Landsmål (Country Language), later Nynorsk (New Norwegian) – had been drawn up, based on the so-called 'best' rural dialects, and codified in the form of dictionaries and grammar books. Although this synthetic language has not won universal acceptance among Norwegians, many of whom remain attached to Dano-Norwegian or 'Bokmål', it has become firmly entrenched in the linguistic landscape of the country.

The Scottish context

It is not generally realised that early Scotland was a multicultural, multilingual society. The names of our towns and villages,

mountains, streams, lochs and valleys reveal that Pictish, Gaelic, Welsh, Norse and Anglo-Saxon (Old English) have all been spoken in this land at various times and in various places. French came in with the Normans and, of course, Latin was the language of the church and of important documents like charters of land. The early Scottish kings addressed their official pronouncements (in Latin) to 'Francis et Anglis et Scotis et Galwalensibus', i.e. to French, English, Scots and Galwegians (the people of Galloway who had long been recognised as being a distinct entity).

Eventually this plethora of tongues would narrow down to two: the Gaelic of the Highlands and Islands (and, until the seventeenth century, parts of Ayrshire and Galloway), and Scots, the northern descendant of Anglo-Saxon, which would become the standard language of the Scottish Lowlands. Meanwhile the related language of the north of England became marginalised to dialect status by the increasing prestige of London English in England as a whole. Scots developed separately from English when the Wars of Independence in the late thirteenth and fourteenth centuries drove a wedge between England and Scotland. It was not then, and never has been, a 'corruption' of southern English – although this view of it is still alive and well!

By the 1300s, the historian John of Fordun could write of the savage, barbarous, unintelligible Gaelic-speaking Highlanders, and the more gentle, civilised and domesticated Scots-speaking Lowlanders – another prejudiced view of language, culture and identity which has enjoyed an unhealthy longevity. The same theme is well illustrated in the famous *Flyting of Dunbar and Kennedy*, which dates from around 1500. A 'flyting' is a poetic slanging-match between two adversaries who strive to out-insult and slander each other. William Dunbar was a Lowland Scots priest and courtier at the court of James IV, while Kennedy was a similarly-placed Gaelic-speaker from Carrick in south Ayrshire.

To Dunbar, Kennedy is a:

> lersche brybour baird, vyle beggar with thy brattis... Revin, raggit ruke, and full of rebaldrie, Scarth fra scorpione, scaldit in scurrilitie...

The first word is a variant of 'Erse', which in Scots could mean Irish or Highland Scottish, little or no distinction being made between the two. Kennedy, according to Dunbar, is a beggar, vilely dressed, foul-mouthed (a 'baird' is a bard or poet, but one whose verses are insulting or obscene). Incidentally, we should allow for a certain element of tongue-in-cheek here, for the butt of Dunbar's coarse humour was not a beggar, but the third son of Gilbert, 1st Lord Kennedy, and a great-grandson of King Robert III.

Dunbar affects to despise Kennedy's boasted Gaelic eloquence, claiming:

> I tak on me ane pair of Lowthiane hippis
> Sall fairar Inglis mak, and mair parfyte
> Than thow can blabbar with thy Carrik lippis...

The work 'hippis' (hips) is a vulgar reference to the lower part of Dunbar's anatomy, which he claims can 'speak' better 'Inglis' than Kennedy's lips. Despite Scotland's long history of warfare with England, Dunbar has no inhibitions about referring to the Lowland Scots language as 'Inglis' (English).

Kennedy's retaliation is not long in coming. Latching on to the fact that Dunbar shares his surname with the Earls of March, notorious in Scottish history for their traitorous dealings with the Auld Enemy of England, he also reviles Dunbar for his linguistic treachery in rejecting Gaelic:

> Thou lufis nane Irische, elf, I understand,

> Bot it suld be all trew Scottis quhennis lede
> (I understand that you have no love for Gaelic, you wretch, although it should be the language of all true Scotsmen).

Just as Dunbar is happy to use 'Inglis' for his native Lowland Scots, so Kennedy unselfconsciously uses 'Irische' for his native Scottish Gaelic. But by the middle of the sixteenth century, the term 'Scots' or 'Scottis' was coming into use for the 'Inglis' of Scotland. When the Protestant reformer John Knox sent a summary of his arguments to his Catholic opponent Ninian Winyet, the latter's reply was a mocking:

> 'Gif ye...hes forget our auld plane Scottis quhilk your mother lerit you, in tymes cuming I sall wryte to you my mynd in Latin, for I am nocht acquyntit with your Southeroun'.

Once again here we are dealing with a tongue-in-cheek demolition of an opponent's arguments. Knox, who had spent much time in newly-Protestant England, had adapted his language habits accordingly and revised some of his earlier writings in the direction of Standard English. Winyet, who would have been perfectly capable of reading Knox's anglicised Scots, is simply making the polemical point that broad Scots = Catholic and patriotic, while English = Protestant and traitorous. Twenty years later the Catholic apologist, John Hamilton, reviling the Protestants for promoting an English translation of the Bible printed in London, reminded his readers of King James I, who, on hearing one of his subjects 'knap suddrone' (speak Southern, i.e. English), 'declarit him trateur'. The perceived links between language, culture and identity could hardly be more starkly expressed than in Winyet's and Hamilton's gibes.

The subsequent history of Scotland's languages is a complex subject which can only be dealt with in summary fashion here. In the seventeenth century the departure of the Scottish court for London removed at a stroke the focus of cultural and artistic life, including, of course, literature. James VI, no mean poet himself, set the tone by revising and anglicising his Scots poetry, and fellow-poets like William Drummond of Hawthornden eschewed Scots almost completely in favour of English. Drummond's *Polemo-Middinia*, a raucous account of a farmyard brawl, anticipates generations of Scottish writers who have reserved broad Scots for lowlife humour. By the eighteenth century, with Scotland fully incorporated into a Great Britain whose official language was southern English, leading Scottish intellectuals like David Hume and Adam Smith became neurotically obsessed with the need to eliminate from their speech and writing all traces of a Scots language they had come to look on as provincial and uncouth. Meanwhile, the Jacobite rebellions of that century served to reinforce Lowland prejudices about Gaels as alien and out of the mainstream of Scottish society, and before long mass emigration from the Highlands and Islands would physically remove the Gaelic language from areas where it had been spoken for over a thousand years.

Scotland today

As we have seen, the Scots language was formerly the tongue of every stratum of society in Lowland Scotland. Gaelic occupied the same place in Highland society, being the tongue of Highland chiefs as well as their clansmen. At the present time, Gaelic survives on a linguistic life-support-machine, while the concept of Scots has been confused by muddled notions about 'bad' English and 'slang'. Educated Scots uniformly speak and write standard English, although their speech usually betrays some of their Scottish background. There are no more proud Scots than those who can lay claim to an ancient title and rolling ancestral acres, but from at least the eighteenth century, our aristocrats have enjoyed

an English public school and university education, so that their often fervent adherence to a Scottish identity and culture lacks a linguistic dimension.

Confusion about our ethnic and linguistic inheritance is prevalent, and although lately there has been a resurgence of interest in Scotland's past, there is still a lamentable 'Old Firm' type of mentality about the rival claims of Scots and Gaelic as indigenous languages (see the letters page of the *Scotsman* on an average day). Scots language enthusiasts are prone to write to the papers in a synthetic Scots of their own invention which does not correspond to any genuine dialect, while enthusiasts for the Celtic strand of Scottishness may opt for car stickers with the legend PICT, SCOT or ALBA, but without necessarily taking their enthusiasm so far as to actually learn the Gaelic.

Finally, what of the ethnic minority communities in Scotland, for whom the Scots and Gaelic linguistic heritage are of little relevance? There are probably more speakers of Punjabi/Urdu in modern Scotland than of Gaelic, and many such speakers of non-indigenous languages have been born and bred here. For them, the intricate web of language, culture and identity has even more strands.

Questions for discussion

1. **Should schools do more to promote the study of Scotland's languages, history and culture?**
2. **Do you need to speak a 'Scottish' language to be a Scot?**
3. **Which language(s) should be officially recognised in the business of the Scottish Parliament?**

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Social class

MICHAEL ROSIE

Class has been a central element of the modern world: Karl Marx argued that human history was, in fact, 'the history of class conflict', and that this conflict was the motor that made history happen (Marx and Engels, 1848). We do not need to look far to find stories about how important class has been in Scottish history: Red Clydeside and the General Strike, the Labour triumph of 1945, the strikes of the 1970s and Scotland's resistance to the Thatcherite message in the 1980s can all be held up as evidence of the class character of Scottish politics. In recent decades, however, there has been an argument that social class has declined in political importance and is no longer the basis of party politics. The focus of this paper, therefore, is to sketch out what social class is, and to ask whether it (still) matters in Scottish life.

What is social class?

Social class refers to the way that power is organised and distributed within a society, in particular (but not exclusively) within the economic realm. Class is most easily understood in terms of what people do to make a living. For most people, their position in the labour market (or, if they are dependent on another person, that person's position) determines not only income, but access to housing, education, leisure and so on. There are in modern societies three broad classes: a dominant (upper) class owning capital and property, an intermediate (middle) class with professional qualifications or organisational skills and a subordinate (working) class earning its living chiefly through physical labour. These latter groups comprise by far the majority of the population in all modern industrial societies. We should be cautious, however, in thinking of class as a category: classes are not fixed entities but relationships of inequality which are constantly evolving. Classes only exist in relationship to other classes. There are three interconnected components of class. These are: structure, the 'objective' construction and reproduction of inequality; consciousness, the culture and meaning we invest in class; and action, usually, but not always, political. The connections between these are complex.

> The usual, and somewhat misleading, connection is to imply that action derives from consciousness which in turn is read off structural features... [However] structural similarities between countries do not preclude their alternative interpretation. In other words, far too little attention has been given to... consciousness, or more precisely culture. (McCrone, 1996)

Scotland's class structure

In 1900 the Scottish class structure resembled a pyramid, with the bulk of its mostly male labour force in manual occupations and a smaller number in non-manual managerial and professional occupations. From around 1950 three transitions have featured in all modern economies: the manual working class has shrunk and the non-manual middle class has expanded; manufacturing has given way to services as the dominant sector of the economy; and increasing numbers of women have entered the labour force. In Scotland these transitions have occurred in line with changes in Britain as a whole, and the social structures of Scotland and England are now very similar. The following table describes the occupational structure of both countries in terms of one widely-used measure of social class, the Goldthorpe-Heath schema, and it can be seen that the similarities outweigh the differences (see Table 1 overleaf).

While the table is useful, it tells us little about the movement of individuals, particularly over generations, between the social classes. In the 1970s, studies of social mobility concluded that the patterns of movement between classes in Scotland and England were very similar, with a substantial proportion of the growing service class ('white-

TABLE 1

Per cent by column	Scotland	England
Salariat	32	32
Routine non-manual	19	22
Petty bourgeoisie	9	8
Total 'Middle Class'	60	62
Supervisors & technicians	7	8
Skilled manual	8	8
Semi & unskilled manual	24	22
Total 'Working Class'	40	38

(Source: Scottish Parliamentary Election Study, 1999; British Social Attitudes Survey, 1998)

collar' workers) coming from working-class backgrounds. With an expanding middle class the dominant trend in social mobility was 'upwards', i.e. much smaller numbers were, across generations, moving 'down' the occupational scale. Recent research suggests that these trends in mobility are continuing: throughout Britain almost half the workforce have been upwardly mobile.

Such, then, is the 'objective' picture of class in contemporary Scotland: structural change is providing many routes for upward social mobility and Scotland's experience has been very close to that of the rest of Britain. There is, however, no necessary correspondence between a person's occupational class and their own perception of their class identity. In other words, 'objective' and 'subjective' class need not coincide.

Class identity in Scotland

Although the class structures of Scotland and the rest of Britain are broadly similar, there are considerable differences in the ways that people perceive themselves. In short, people in Scotland are more likely to describe themselves as working class, regardless of their 'objective' class position. Levels of working-class identity in Scotland have remained consistently high whilst falling in England. Some 68 per cent of Scots described themselves as working class in 1974 compared to 65 per cent in England. By 1997, working class identity stood at 74 per cent in Scotland and 60 per cent in England and Wales. Clearly, there have been quite different trends in class identity and consciousness in the two countries despite similarities in structure. While working class identity is equally strong among the 'objective' working-classes of Scotland and England, those in middle-class occupations in Scotland, whether or not they have experienced upward mobility, are much more likely to say they are 'working class'. In other words, in the two countries, the meaning of class operates in different ways.

By separating occupations into middle- and working-class groups the strength of working class identity in contemporary Scotland can be quickly grasped (see Table 2).

It might be noted that in all the subgroups comprising the occupational middle-class a majority describe themselves as working-class. Amongst routine non-manual workers (clerks, secretaries etc.) working-class identity is very strong (72 per cent), and even in the salariat (professionals, managers etc.) some 51 per cent express a working class identity.

TABLE 2

Occupation (structural class)	Identity (class consciousness)	
	'Middle Class'	'Working Class'
Middle Class	29	60
Working Class	14	82

(Source: Scottish Parliamentary Election Study, 1999)

This disjuncture between 'objective' class position and 'subjective' class identity might seem contradictory and confusing, but it is only so if we believe that class consciousness can be easily read off from structure. Structure, however, is not experienced directly but rather through the political and cultural meanings we invest in it. Do class structure

and class consciousness make a difference to Scottish political behaviour?

Class structure and politics in Scotland

Between 1945 and 1955 there was no difference in voting patterns between England and Scotland, but from 1959 differences began to emerge and since the 1970s they have diverged markedly (see Table 3 below).

The differences are all the more remarkable given the emergence of the Scottish National Party (SNP) from the late 1960s. Labour have scored consistently higher in Scotland despite the strong SNP challenge. Can we explain Scotland's voting patterns in terms of the class structure, i.e. that having more working-class voters and fewer middle-class voters has led to Labour success and Conservative failure? While this would be a satisfyingly tidy explanation, it is unconvincing. As we have seen, Scotland's class structure is not so markedly different as to explain the Labour vote – Scotland is not working class enough to explain the difference. We might also note that working-class voters in England and Wales in 1997 were more likely to vote Conservative (22 per cent) than middle-class voters in Scotland (20 per cent). This apparent disjuncture between class structure and political action has fuelled, from the 1950s, the argument that class no longer matters in political terms, or at least matters less than it once did. Before such an argument is accepted we must consider how far class identity helps to explain electoral behaviour in Scotland.

Class identity and Scottish politics

Most studies of electoral behaviour in Britain find that class identity has a closer relationship to voting than 'objective' social class. This is hardly surprising: we might reasonably expect that someone's own sense of social location would be of more predictive power than a categorisation imposed by social researchers. Table 4 overleaf considers the votes cast for the main Scottish parties in terms of both structure and identity.

In terms of occupational class, the Conservatives are heavily reliant on the middle class, whilst Labour and the SNP see their vote fairly equally divided. The pattern is different in terms of identity, with both Labour and SNP very reliant on working class identifiers. In the sample, overall some 45 per cent were structurally working-class and some 74 per cent claimed a working-class identity, so it can be seen that the pattern of Conservative support is substantially different from what we might expect if class identity did not matter. It might also be noted that both Labour and the SNP are 'more' working class in terms of both structure and identity. Given that contemporary politics is characterised by the struggle of these two parties for the urban vote in central Scotland, it might be expected

TABLE 3

Conservative and Labour voting, selected General Elections, 1945-97

	Conservative as per cent		Labour as per cent	
Year	England	Scotland	England	Scotland
1945	40	41	49	49
1955	50	50	47	47
1979	47	31	37	42
1987	46	24	30	42
1997	34	18	44	46

(McCrone, 2001)

TABLE 4

	Occupational class (Structure) as %		Class identity as %	
	Middle class	Working class	Middle class	Working class
Conservative	86	14	59	41
Labour	45	55	18	82
SNP	50	50	23	77

(Source: Scottish Election Study, 1997)

that class, more precisely working-class identity, will remain at the heart of Scottish party politics for the foreseeable future.

Class and nation in Scotland

How can we explain the widespread sense that Scotland is a working-class country? Clearly, we might expect that those who have been socially mobile might retain a sense of 'where they came from', but the upwardly mobile in England are less likely to describe themselves as working class than is the case in Scotland. This raises a more general question: should we expect Scotland to be similar to England in terms of its class consciousness just because its class structure is similar? We would not expect class to operate in the same ways in France and Germany because these countries are institutionally and culturally distinct – they are different countries:

> This might seem a trite point, but when it comes to Britain in general, and Scotland in particular, we seem to forget about it. Put simply, 'class' in Scotland will not be interpreted and explained in the same way as in England, simply because key institutions such as law, education and religion, will mediate structures. (McCrone, 1996)

What is striking about class identity in Scotland is the ways in which it interconnects with feelings of national identity. Scotland not only has a stronger working-class identity than England, it is also measurably more left wing in its political values, and both the SNP and the Labour Party have successfully linked a leftist platform with 'Scottishness'. Historically, being left wing has been associated with being working class: to a large extent the high level of working-class identity in Scotland relates to its left wing values. These are, in turn, both connected to a sense of Scottish nationality. The clear relationship between class identity and national identity in Scotland is almost wholly absent in England, and this goes some way to explaining the continuing salience of class in the Scottish context. Class and nation are intertwined in Scotland: the prism through which social structure is connected to political action is our understanding of ourselves as Scots, our understanding of what Scottishness means.

Questions for discussion

1. **What is social class, and why does it matter?**
2. **Is class different in Scotland than in England? Why (not)?**
3. **In what ways do other social identities (age, gender, regional and national identity for example) connect with class structure, class consciousness and class action?**

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Gender and the division of labour

FIONA MACKAY

Introduction

Relations between women and men have been undergoing dramatic changes in the post-war period. Social attitudes have changed considerably and legislative and economic developments have opened up new opportunities for women. Women, including women with dependent children, have entered the labour market in increasing numbers. The massive growth in female employment has challenged traditional gender relations and the male 'breadwinner'/female 'homemaker' model. Economic restructuring and globalisation have resulted in the decline of traditional male industries such as manufacturing and the growth of service industries. Women have pursued educational opportunities and now make up of about half of university undergraduates. They have also made significant inroads into many professions. However, despite these changes, disadvantage, segregation and stereotyping on the basis of gender persist.

To illustrate the uneven nature of progress, we take some examples from the Gender Audit 2000, an annual report on the position of women in Scotland. It asks: Where are Scottish women at the beginning of the twenty-first century? They comprise:

- more than half of the Scottish population
- 37 per cent of Members of the Scottish Parliament
- one in every two newly qualified solicitors
- half of all secondary school teachers but less than 1 in 10 head teachers
- 90 per cent of single parents
- a group earning less than 80p for every pound earned by men
- a set of people more vulnerable to poverty, domestic abuse and sexual violence

This paper provides a brief overview of one of the ways in which gender operates as a social division in contemporary Scotland. It is not intended as a comprehensive review of the complex issues relating to gender and employment – nor gender inequality in general – but rather as a starting point.

What is gender?

Gender is a crucial social division. Put simply, whether you are a woman or a man makes a difference to your life chances, the type of paid and unpaid work you do, how much you earn, the patterns of your health and ill health, how you think about yourself and so on. Feminists and many social scientists argue, however, that these differences – and the disadvantages that may arise from them – are not natural and inevitable, but are socially constructed and therefore have potential for change.

A distinction is made between 'sex' and 'gender.' Sex relates to the biological differences between women and men. Gender relates to the social meaning placed upon biological difference: what does it mean to be a woman or a man? It determines the roles, behaviours and traits that are assigned to individuals on the basis of their sex. These vary across culture and time but, in general, the social meanings assigned to women/femininity are construed as subordinate and inferior to those of men/masculinity. It is a biological fact that women give birth to children but the meaning of motherhood is socially constructed. So, for example, the fact that motherhood means primary – sometimes exclusive – responsibility for domestic labour and child care in many societies results from gender, not sex, differences. The low status assigned to caring work, both paid and unpaid, is not natural or inevitable; neither are the adverse social and economic consequences of motherhood for many women. Rather these are structural inequalities which arise from particular gender ideologies and systems, and from the unequal power relations between women and men.

Therefore gender is not just about the constitution of identities and relationships. It is not confined to the private sphere, nor can

it be reduced to patterns of socialisation or parenting within the family. It also works as a basic principle for social organisation and for the (unequal) distribution of power, and it is shaped, reflected and reinforced by institutions and practices.

Gender and other social divisions

Gender stereotyping and gender inequality are experienced differently by different groups of women, because gender operates in complex relation to other social divisions such as class, race/ethnicity, disability and sexuality. So, for example, black women may experience disadvantage in the labour market based upon both sexism and racism. Highly educated middle-class women experience a narrower gender pay gap than do working-class women. It is now accepted that some women, for example white women, simultaneously occupy positions of subordination (through hierarchies of gender) and domination (through hierarchies of race). Women can oppress other women and, in some cases, can oppress men from marginalised social groups.

Different dimensions of gender

Gender is about the lived-realities of women and men; their experiences and identities and the relations between them. However, it can also be understood to play out at other, more abstract, levels. Powerful notions of 'masculinity' and 'femininity' can stand for sets of ideas, values, expectations, attributes and characteristics which go beyond 'real people' to shape the way we think about institutions, activities, power, symbols and things. Ships and countries are commonly regarded as 'female' whereas God, in the Judeo-Christian tradition, is seen as 'male'. These deeper meanings of gender can, in part, explain the persistence of inequalities.

Gender is also played out in social structures and social, economic and political institutions. The role of the state in reflecting and reinforcing gender inequality and gender stereotypes cannot be underestimated. The state consists of a powerful set of institutions which produce laws, regulations, policies, norms and values within which gender stereotypes are deeply embedded. So, for example, tax benefit systems may be designed around 'breadwinner' ideologies which assume women are the economic dependants of men. Pensions may be built around assumptions that people normally have long-term, unbroken employment, reflecting traditional male employment patterns rather than female employment patterns, which typically involve taking time out of paid work to look after children.

Selma Sevenhuijsen (1998) offers a useful model of gender which operates on at least three different levels. First, at a symbolic level: gendered images of 'masculine' and 'feminine' shape meanings which appear to be gender-neutral. Feminists have exposed the way in which gender symbolism has powerfully informed concepts of work, care, politics, citizenship and rationality. Second, at the level of individual and collective identity: meanings based upon sexual difference shape the way women and men see themselves and others. Third, gender operates at the level of social structure: the availability of power, resources and access to social institutions and positions of power are patterned by gender relations. Gender consists of one form of power relations which is cross-cut with other sets of relations of oppression.

Gender and divisions in work

The persistence of gender divisions can be illustrated in patterns of employment, paid and unpaid. The following discussion relates primarily to Scotland and the UK. Although there are variations across European and other Western countries, at a broad level we see continued patterns of horizontal and vertical segregation.

Women now make up around a half of the Scottish workforce. The most significant

rise in female economic activity rates over the last ten years has been among women with dependent children. The proportion of working mothers with children aged under five increased by 10 per cent between 1988 and 1998. Most women work full-time (56 per cent) although a large proportion (44 per cent) work part-time – juggling work and caring responsibilities. Around one-third of women with disabilities are economically active compared with around three-quarters of non-disabled women. Women in minority ethnic groups are nearly twice as likely to be unemployed as white women in Scotland.

Overall, there has been little appreciable change in terms of women's general employment patterns in the last decade or so. Female workers are concentrated in a relatively small number of areas of the Scottish economy – shops, hotels, restaurants, financial and business services, education, health and social work. These employment sectors are sometimes called 'pink collar' because they are seen to be 'women's jobs' and to relate to women's traditional caring responsibilities in the home. Women still experience relative exclusion and discrimination in other employment sectors.

Whichever way you look at the data on pay, women's average earnings are lower than those of men, and progress towards equality has been painfully slow. The first Gender Audit reported that the average weekly earnings of Scottish women in 1992 were 68.4 per cent of those of men. Figures recorded in the last Gender Audit showed that this had risen to 73.3 per cent in 1999. If hourly rates are compared, the position is a little more favourable at 78 per cent. However, a gender pay gap of around 20 per cent persists at Scottish and UK level, despite equal pay legislation. The Equal Opportunities Commission hit home the point in their *Valuing Women* campaign to highlight the pay gap with an advert headlined: 'Prepare Your Daughter For Working Life: Give Her Less Pocket Money Than Your Son.'

The pay gap affects women throughout their lives and is found across all industries and occupations. It results from a number of factors. First, 'pink collar' jobs and professions such as shop work, service work, nursing and childcare tend to be lower status and less well paid. Almost half of all full-time women workers in Scotland are low paid. Second, women are concentrated in lower occupational grades than men. This pattern can be discerned across manual, skilled and professional levels. It applies in traditional sectors, for example, primary education where women comprise 93 per cent of primary teachers but only 77 per cent of primary head teachers. However it also can be seen in less traditional jobs and professions. Overall, women classed as managers earn around 70 per cent of the weekly pay of men classed as managers. A recent study of women and men in the professions in Scotland found that there is a larger proportion of women in lower grades than higher grades across all professions (Kay, 2000). Third, many women need to combine paid work with caring responsibilities. As noted earlier, 44 per cent of women in employment are part-time workers, and part-time workers, both men and women, are particularly vulnerable to low pay. In addition, the long hours culture which operates in many jobs and professions presents problems for women working full-time.

Recent UK research commissioned by the Cabinet Office Women's Unit highlighted the 'cost of being a woman'. The research estimated that the average unskilled woman forfeits nearly £200,000 over a lifetime, a woman with mid-level qualifications, £250,000 and a highly skilled women loses £143,000 as a result of the gender pay gap. Over and above the 'female forfeit' the research found that women also lost out through the mother gap – that is, the impact on lifetime

earnings of having children. The estimated loss in earnings for mothers with two children are: £285,000 for an unskilled woman; £140,000 for a woman with mid-level skills; and £19,000 for a highly-skilled woman. Highly-skilled mothers are projected to lose considerably less income than their less-skilled sisters, as they are most likely to retain their place in the labour market. However, as the report points out, they may also incur very high child care costs.

Conclusion

It is a commonplace point, but worth making nonetheless, that the world of work is premised upon others taking care of care. So much employment is designed as if individuals (traditionally men) are unencumbered by domestic responsibilities. Increasing job insecurity has exacerbated working cultures of 'long hours' or 'presenteeism.'

However, whereas many women have moved into the public world of paid work, this has not been matched by any significant renegotiation of domestic roles. Many women therefore work a 'double-shift' involving both paid and unpaid duties. Family responsibilities shape women's work patterns, the type of occupations they work in, their earnings and their social security benefits. The unequal gendered division of labour underlines the inequalities of power between women and men.

Gendered assumptions about 'women's work' and 'men's work' are deeply rooted and further disadvantage women. Women face overt and covert discrimination when attempting to make inroads into non-traditional jobs such as engineering and the like (which are seen as unsuitable jobs for women). The 'feminisation' of certain employment sectors such as banking has been accompanied by a loss of status. Gender stereotypes can also work to disadvantage men who enter traditionally feminine jobs such as nursing or primary school teaching. However, a recent report illustrates the way in which gender stereotypes also benefit men in such atypical employment through accelerated promotion: a managerial position being seen as a more suitable job for a man (Kay, 2000).

There has been a significant shift by women entering into higher education, paid employment and entry into professions in the last half-century. This has increasingly challenged old gender stereotypes which positioned men as 'breadwinners' and women as 'homemakers' and full-time carers. However, employment is shaped and structured by gendered patterns of segregation, relative exclusion and disadvantage which are inextricably linked with the gendered division of labour in families. Gender divisions play out at a number of different levels and result in continuing inequality between women and men.

Questions for discussion

1. **In what ways are gender differences reinforced in everyday life? What implications does this have for democracy in Scotland?**
2. **How does gender influence patterns of employment for men and women?**
3. **How is parenthood regarded differently for men and women?**

Further reading

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The Asian experience in Scotland

SATNAM VIRDEE

Asians in Scotland: a historical perspective

Historical evidence suggests that there has been a significant Asian presence in Scotland from at least the mid-nineteenth century. Its roots lie in the expansion of the British Empire which brought Scottish merchants, administrators, missionaries and military personnel into increasing contact with people from the colonies. After serving in the colonies, many returned to live in Scotland and some brought with them people of Asian descent who were employed as domestic servants. In addition, growing numbers of Indian students were attracted to Scottish universities due to their excellent reputation, particularly in medicine and engineering. However, the largest presence was that of Asian seamen, known as lascars, whose arrival in Scotland was facilitated by the emergence of Glasgow as the 'Second City of Empire'. Following the slump in shipping after 1918, many Indian seamen found employment in the collieries and iron and steel works in Lanarkshire (Dunlop and Miles, 1990).

The Asian presence in Scotland increased further after the Second World War as a result of a period of rapid economic growth which created a demand for labour that could not be met within the boundaries of the British state. Since Asian migrants were British citizens under the terms laid down by the 1948 British Nationality Act, they were technically free to sell their labour power to whoever they wished. Significantly, they were free to compete with indigenous labour for access to the expanding number of new, higher paid jobs with better conditions. This was particularly the case with Asian migrants, many of whom had held white-collar posts in their countries of origin. However, despite the heterogeneous class structure of the migrating populations and their legal status as British citizens, the overwhelming majority found themselves concentrated at the bottom of the Scottish class structure, undertaking semi- and unskilled manual work in the manufacturing and service industries.

This was the result of the racialisation of the Scottish labour market where 'social relations between people were structured by the signification of human biological characteristics in such a way as to define and construct differentiated social collectivities' (Miles, 1989). That is, people from the Indian sub-continent were constructed as a 'race' of people that were signified through their brown skin colour as being different from that of the majority 'white race' in Scotland. As a result, migrants from the Indian sub-continent were subject to exclusionary practices that prevented them from acquiring skilled manual and non-manual jobs. While in some cases these exclusionary practices were motivated by the recognition that migrants had few skills relevant to an industrial capitalist economy or lacked competency in the English language, research also suggests that migrants were subjected to exclusionary practices motivated by racism. Racism in this context is defined as those negative beliefs held by one group which identify and set apart another group by attributing significance to some biological or cultural or other 'inherent' characteristic which it is said to possess, and which deterministically associates that characteristic with some other negatively evaluated feature or action. Drawing its images from colonialism, this racism viewed Indians and Pakistanis as inferior and incapable of non-manual work and provided the necessary ideological justification to restrict Asian workers to semi- and unskilled manual work.

Asians in contemporary Scotland

Asians continue to be socially excluded from the better and higher paid jobs in the labour market in contemporary Scotland. The major restructuring of the Scottish labour market, especially the collapse of the manufacturing industries during the late

1970s, caused a further deterioration in the economic position of Asians leading to widespread unemployment. It was also responsible for the patterns of employment that have developed amongst minority groups today. Motivated by a desire to escape unemployment and confinement to low-status jobs in the wider labour market due in part to racist discrimination, many Asians went into self-employment.

Today, nearly half of male minority householders and a third of females are self-employed – levels which are five times greater than for the white population. Since the self-employed are included with employees and are classed in the top occupational categories, growth in Asian self-employment has often been interpreted as evidence of upward social mobility and declining 'racial disadvantage'. However, such a conclusion needs to be tempered with the recognition that while the reasons motivating Asian entry into self-employment may have been a desire to improve their economic position, many appear to be entering not an upward ladder leading to material enrichment but a dead end on the fringe of the modern economy.

Minority employees are also concentrated in a fairly narrow range of industries and occupations such as catering, distribution and transport and remain under-represented in central and local government. Unemployment rates are about a third higher for ethnic minority men than white men; for women the difference is even greater (Smith, 1991). Such patterns of exclusion motivated by racism in the labour market are also a feature of Scottish society more generally. There has been a steady rise of recorded racist incidents reported to the police in recent years. Moreover, due to under-reporting, these incidents constitute a small fraction of the real level of racist violence and harassment that permeates Scottish society (Smith, 1991).

Scottish-Asian or immigrant Asians?

A popular notion persists that 'there is no racism in Scotland'. The evidence suggests otherwise. However, it could be argued that the national political process in Scotland has not been racialised to the extent that it has in England. In England, the arrival of migrant labour from the Indian subcontinent and the Caribbean in the 1950s and 1960s gave rise to a 'new racism' that viewed a previously external presence as threatening the mythic English way of life from within. This 'new racism' emerged onto the national political scene most significantly during the late 1960s and 1970s when, as part of the New Right project, it was employed by parts of the state to reassert its authority amidst the organic crises of British capitalism. An important outcome of this 'new racism' was that blackness and Englishness were reproduced as mutually exclusive categories, as neatly captured in the title of Paul Gilroy's influential book *There Ain't No Black in The Union Jack*.

In Scotland, however, the emergence of Scottish nationalism partially displaced racism in constructing the national political agenda of the 1960s and 1970s. Focusing attention on the perceived economic and political disadvantages of the Union with England undermined any simplistic associations between industrial decline and migrant labour from the Indian subcontinent. As a result, it appears that racism has not been as overtly central to the project of constructing the Scottish nation as it has to constructing the English nation. This is reflected in the willingness of people of South Asian descent to identify themselves as part of the Scottish nation as reflected in the adoption of hybrid identities such as Scottish-Asian or Scottish-Muslim.

Conclusion

The challenge facing Scottish society at the dawn of the twenty-first century is whether it can establish a democracy that is both inclusive and representative of minority ethnic groups. To achieve this objective requires the tackling of exclusionary processes motivated by racism. It also requires the rejection of essentialised conceptions of the 'other' as 'culturally different' or 'foreign' and the recognition of a minority ethnic population that is Asian, brown and Scottish. Unless it can offer equal treatment to all its citizens, Scotland cannot truly be called democratic.

Questions for discussion

1. **What is racism?**
2. **Discuss the ways in which racism shapes the lives of minority ethnic people in Scotland.**
3. **Discuss what makes an individual Scottish. Do you think people of Asian descent are Scottish?**

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The trade union movement

PATRICIA FINDLAY

It is hoped that the establishment of the Scottish Parliament will stimulate a re-evaluation of democracy and participation across a range of institutions in Scotland. For many citizens, the most significant non-governmental institution is the workplace. Indeed, there is a clear link between our experiences as workers and as citizens, with the workplace playing a crucial role in stimulating or crushing our aspirations towards more active participation in public life.

In the last decade, legal, political, competitive and organisational pressures have generated considerable debate on the role of employees in internal workplace governance. Significantly, a strong business case has emerged for extending worker participation in organisational decision-making. This debate has important ramifications for all organisational actors. Management and business leaders are often perceived as bearing primary responsibility for organisational decision-making, and any initiative in workplace governance is unlikely to survive significant managerial opposition. Yet managers are not the only players whose remit includes issues of participation and democracy. Since their inception, trade unions have combined a quest for more instrumental improvements in working terms and conditions with aspirations to improving the employee voice within a wide range of work organisations and in the wider political domain. Consequently, the potential for democratising Scottish working life is heavily dependent on the role and activities of trade unions and their members.

Trade unions are the largest voluntary organisations in Scotland. Around 630,000 people in Scotland are members of the 46 unions affiliated to the Scottish Trades Union Congress. These unions range in size from 70 to 153,000, but membership is concentrated in a dozen unions with upwards of 15,000 members. In the decade up to 1999, union membership declined by 1.9 million in the UK, although the rate of decline slowed in 1998-99 (Labour Force Survey, 1999). While the powerful pressures of economic and competitive forces have placed unions in a more reactive mode, union activity is not wholly determined by context, and they retain an independent capacity to shape their environment and influence their members' lives. That influence is often positive, with clear rewards for union members in remuneration and other terms and conditions.

Trade unions in the new Scotland

Scotland has not avoided the major developments that have impacted on economies everywhere: the shift from man-ufacturing to service sector employment; the growth of foreign direct investment; and the emergence of new sectors alongside the decline of traditional sectors. We have observed rising proportions of women and graduates in the labour force, and the increasing importance of part-time and other forms of flexible working. Driving this, and being driven by it, we have witnessed almost continual pressure for organisational restructuring and change.

The above developments have important implications for employees and trades unions, influencing security of employment, the organisation and intensity of work, pay, benefits and forms of management and decision-making. Thus, the scenario that confronts trade unions is largely global, not local, in nature. Further, many of the key decisions that impact dramatically on the role of unions, such as employment and industrial relations law and economic, fiscal and industrial policy, remain with the Westminster and European Parliaments. The Scottish dimension is not without import, however: democratising working lives, and extending participation in an area of fundamental significance to all requires an active alliance of Scottish politicians, industrialists and union members. Despite their importance, laws and regulations alone will not transform Scottish

workplaces. The political and industrial community at all levels within Scotland will be charged with this task. For trade unions, four key relationships must be addressed in responding to new political and economic demands.

Unions and their members

The relationship of fundamental significance to trade unions as institutions is with their own members. Trade unions are, in form and in principle, democratic bodies, established and organised by members for members' interests. Yet trade unions and their members are not coterminous: trade unions are formal institutions with both a lay representative structure and a formal employment structure. Union officers, workplace representatives and rank-and-file members will not always have unified interests. Many groups have been critical of the commitment of unions to supporting their interests and enhancing their role in union structures; for many female, black, part-time, disabled or gay/lesbian workers, their role within unions has often mirrored their disadvantaged position in work. While issues of equality in union activities and structures are now increasingly recognised, there is some way to go before under-represented groups will see unions as their own.

Unions exist to recruit members, to represent them in dealings with employers, and to negotiate on their behalf. Recent experiences, however, have led to a questioning of the efficacy of union membership. Unions have been seen as weak in confronting more pro-active management, with negative consequences for recruitment and for the propensity of members to participate in union affairs. Acknowledging this, recruitment has recently regained a significant position in union priorities, not least to mitigate the effects of declining membership levels in traditional industries. The Trades Union Congress (TUC) New Unionism initiative aims to encourage the active recruitment and organisation of new workers, in particular women and young workers, in new industries. In some unions, additional resources and personnel have been directed towards recruitment.

Recent legislative changes, specifically the Employment Relations Act (1999), will give substance to existing rights to union membership by providing a mechanism through which employers can be compelled to agree to union recognition and collective bargaining. While the outcomes of this legislation are likely to be severely contested, statutory recognition rights may well boost union membership. This in itself has implications for internal union democracy and workplace participation. A more heterogeneous pool of members will make unions more representative. In addition, research indicates that membership is more often driven by representational than instrumental ones, with the former more capable of being sustained during difficult economic circumstances than the latter. Survey data suggests that many people feel a strong sense of injustice in regard to their role in the workplace, for which they hold managers responsible. This legitimises union demands on employers to enhance involvement in workplace decision-making. Ironically, survey data also indicates that unions are perceived as too weak to make a difference in the workplace. The challenge is, therefore, not simply to recruit new members, but to stimulate and educate new and existing members to become active representatives of their collective interests in the workplace and in unions themselves. A more active membership, however, raises potentially controversial issues of internal union governance.

Unions and employers

Despite an outdated (and often inaccurate) adversarial image, we must remember that unions are necessarily pragmatic organisations. Their experience of adverse economic conditions in recent times has encouraged

them to make explicit their interest and their investment in the success of work organisations. Indeed, the TUC's stated position is that effective trade unionism can greatly assist in the achievement of business objectives.

Trade unionism in Scotland is well established in many sectors, with high levels of membership and well-developed union structures. While management–union relations have undoubtedly been chequered over the years, these examples accurately reflect the dynamic and adaptive nature of trade unionism. More recently, certain unions in the private and public sectors have involved themselves in objectives more commonly associated with employer prerogative: ensuring consistent levels of quality and accountability, delivering change and helping employers plan for the future.

The more developed of these arrangements approach some form of social partnership. Scotland is home to important examples of new and more participatory forms of workplace governance such as Scottish Power and Guinness/UDV. It would be naïve, though, to ignore the fact that some partnership agreements have arisen out of perceived business crisis. Nevertheless, partnership arrangements are often constructed around traditional union demands; for employment security and investment in skills and careers; for mutual gains as well as mutual investment in organisational change; and for effective forms of joint governance at all levels. Clearly, these represent both opportunities and threats for unions. They guarantee the institutional security of the union, and give union officers access to strategic-level policy-making. By protecting employment, they protect union membership levels. By encouraging greater task-level decision-making, they potentially enhance job discretion and satisfaction. The fear of union incorporation into management worldviews is real, however, and any failure to deliver positive outcomes from partnership will reflect on unions as well as managers. An enhanced role for union officers has to be considered alongside the implications of extending governance responsibilities throughout the organisation for lay workplace representatives. Lastly, partnership has to mean what the term implies, that decision-making is shared, and that compromise occurs on both sides – not simply that unions make any concessions necessary to obtain time-limited employment security guarantees.

At the other end of the spectrum, there are undoubtedly anti-union companies in Scotland. While their public position is often that they have no objections to union membership but do not wish to bargain collectively with unions, there remains a suspicion that non-unionism is a specific organisational objective. Employer opposition substantially lowers the likelihood of union presence and recognition. While many would argue that meaningful representation can exist without unions, the lack of effective sanctions on management in these circumstances suggests that this argument be considered sceptically. In addition, the wider impact of the non-union sector should not be underestimated. Relatively few organisations established in Scotland since 1980 have agreed to union recognition. This may influence the decisions taken by managers in new and growing sectors, such as call centre work or electronics production. While statutory recognition rights may change this, unions cannot rely on this alone. Union experience of similar legislation elsewhere has not been wholly positive. Further, union recognition is clearly not an end in itself, and unless gains in recruitment and recognition lead to other substantive outcomes for members, recognition is likely to be short-lived.

Unions and government

The relationship between trade unions and government continues to be of immense significance. Given the numbers in public

employment, government can act as a role model in illustrating best practice in employee relations. Few government employees do not have union recognition. Further, partnership between government, employers, trade unions and consumers is increasingly the favoured stance of government at all levels. The Scottish Executive has clearly outlined a strong commitment to partnership in the National Health Service, and all trusts and health boards have been required to develop partnership agreements. Interestingly, the Executive has acknowledged that a commitment to partnership as a mode of operating does not suggest that joint agreement will always be reached, thus confirming the rights of independent trade unions to represent their members' interests. In addition, a supportive approach to partnership has been encouraged in local government. Thus Scottish policy makers can wield considerable influence over organisational strategies and employee relations, both directly and indirectly.

The context of Scottish workplaces will also be defined by the broader responsibilities of the Parliament in economic, industrial, education and training policy. On these key areas, the Scottish Executive has committed itself to wide-ranging consultation with employers and unions, thus involving unions in the process of government itself. Both the Scottish Trade Union Congress and individual unions have been invited to take part in consultation in relation to the structure and function of local government, financial policy, manufacturing strategy and the Executive's equality strategy. Further, both the Finance Minister and the Minister for Enterprise and Lifelong Learning have stressed not only the importance of consulting unions, but also of listening to them. It is likely that the relatively small size and concentration of the Scottish political and industrial community will assist that process.

Outside of the formal consultation processes, unions will continue to provide briefing materials to relevant parties within the Executive and the Parliament. Many Labour Members of the Scottish Parliament (MSPs) are themselves either union-sponsored or union members. Moreover, the relative newness of many MSPs provides an opportunity for trade unions to provide information and argument to elected representatives at a formative period in their political careers.

Unions and the public

One of the foremost challenges facing unions is to influence Scottish public opinion in ways that are positive to their cause. Campaigns that attempt to inform the public on the rationale for union activities are crucial. This is not simply a route to generating new members (although it may do so), but it is also about building acceptance, in principle, for the right to be involved in decisions which impact on individual experiences, rewards and rights at work. Furthermore, it is about establishing the link between individual and collective experience and convincing the wider community that insecure work, poor skills development and low pay have consequences for us all. Public campaigning involves talking to those who consume the services provided by union members in a constructive way that may generate benefits for all. Such a debate will not be an easy one, but as we are all consumers and producers in some respect, it should be possible. What all of this requires is that trade unions can convince the public that they do not simply represent a narrow and privileged segment of the working population. More positively, they have to be able to present a convincing case that their cause is just and brings societal benefits.

Democratising Scottish working life will not be a simple task, and trade unions, while key players, will not be able to deliver such an outcome on their own. Yet our history and our understanding of the

support for collectivist values in Scotland may indicate that achieving this goal is well within the powers of Scottish society, and Scottish society as a whole is capable of taking a momentous step in this direction.

Questions for discussion

1. **What are the arguments for and against trade union recognition by employers? Why is a statutory requirement in this respect either necessary or appropriate?**
2. **Is social partnership in the workplace in Scotland likely to be successful? What do the key actors stand to gain or lose from the process?**
3. **What knowledge and skills are necessary to be an effective representative in the workplace?**

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Disability

NICK WATSON

Introduction

It is estimated that there are over 500 million disabled people worldwide, the largest number of whom are to be found in the Majority World. There is, however, a higher prevalence of disabled people in the wealthier nations. In Scotland, for example, it is estimated that disabled people account for 26 per cent of the adult population (Scottish Household Survey, 1999). Advances in medical science and new medical interventions which prolong life, coupled with demographic changes suggest that these numbers will increase in the future. The level of disability increases with age: 11 per cent of those aged 16-24 years are disabled or have a health problem, compared with 27 per cent of those aged 45-59, and 50 per cent of those aged over 75. The implications of this, in terms of social and economic policy, will be far-reaching.

This paper briefly examines how organisations of disabled people have demanded, and to some extent achieved, a rethinking of what it means to be a disabled person. These organisations have argued that they should be seen as a minority group, one which faces discrimination and oppression, and that is the result of the way that society is organised and not a consequence of their impairment. It will then examine how this understanding has influenced social policy, and the impact on citizenship.

The meaning of disability

The meaning of disability and the personal consequences for individual lives of being a disabled person have changed considerably in the last twenty years. Prior to the 1970s, the majority of disabled people, in most of the western world at least, would have been found in large isolated, residential establishments. Employment opportunities for many were restricted to special 'training centres' or sheltered employment with an emphasis on work as rehabilitation. These centres typically offered poor training, little opportunity for advancement and low wage levels. Disabled children were segregated from their non-disabled peers and, under the guise of rehabilitation, denied access to a full curriculum, spending much of their time in physiotherapy. This in turn served to deny them future opportunities. Disabled people were also denied sexual rights, the right to form relationships, reproductive rights and the right to lead independent lives.

While there have been considerable improvements – in that increasing numbers of disabled children have been able to access mainstream schooling and more disabled people have moved into mainstream employment, live independently in the community, form relationships and have children – some of these conditions still prevail. For example, in Scotland in 1997, of the 14,912 schoolchildren who were described as having a 'Record of Need' (that is they had been assessed as having 'special educational needs'), 6,382 were educated in a segregated setting. Also, a recent survey (Labour Force, 1999) found that disabled people in the UK are more than twice as likely as non-disabled people to have no qualifications, and are over six times less likely to be in employment than their non-disabled peers. The disabled people's movement argues that the fact that some disabled people can access mainstream schooling, can work and can be included in the mainstream of life suggests that all should potentially be able to do so, and that they are held back by social, economic and political factors rather than their impairment.

The development of the disabled people's movement worldwide since the 1970s, based on the principle of self-organisation, has led to new developments in our understanding of disability, which move beyond the view of disability as a personal tragedy. Disabled people have demanded that the traditional way to view disablement, which is to see it simply as a medical problem, is no longer

acceptable. In the medical approach, the problems faced by disabled people arise as a result of their impairment or medical problem. For example, people would say 'She is disabled because she has epilepsy', or 'He is disabled because he broke his back'.

The Union of Physically Impaired Against Segregation's Fundamental Principles of Disability, published in 1977, set out the main elements of what has become known as the 'social model of disability'. Put simply, this approach argues that people with an impairment or medical condition are disabled not by their body, but by a society that is organised in such a way as to exclude them. Being disabled by society is about the twin processes of discrimination and prejudice, which restrict individuals with impairment. This is a structural analysis, based on the notion of disabled people as an oppressed minority group and disablement as a collective experience.

In this model, not being able to walk would be defined as impairment, whereas lack of mobility due to an inaccessible physical environment and poor provision of mobility aids would be defined as disability. Disability is viewed as a problem located within society, and the way to reduce disability is to alter the social and physical environment. It closely follows Marxist and feminist paradigms of social relations. Thus, when feminists distinguish between sex and gender, the social model separates impairment and disability; the former being physical, and the latter social and cultural. Emphasis is placed on the disabling environment – the physical and social barriers which exclude disabled people and render them powerless and voiceless.

The Disabled People's Movement, through the social model of disability, has sought to place disability firmly on the political agenda. It establishes disability as a political issue and demands that it is considered as a matter of political power and oppression, not the outcome of physical incapacity, thus moving disability from the domain of medical and welfare professionals.

The politicisation of disability

The politicisation of disability, as defined by the social model, has two elements. First, there is the claim that disabled people are a disadvantaged and marginalised group. Evidence for this is overwhelming, not just in terms of access to employment and education as already mentioned. For example, disabled people are far more likely than non-disabled people to live in poverty and poor housing, they are often denied access to public buildings, much of public transport is inaccessible to them, and their voices are rarely heard in debates on policy about disability issues.

This final point leads to the second element of politicisation. This is the claim that disabled people should initiate and lead social change for themselves. Non-disabled people, including professionals, family and charity workers, have dominated the disability field so this is a more radical position which can be challenging for the mainstream. Since the 1980s, coalitions of disabled people and centres for integrated living have developed throughout Britain and these have been joined by other organisations of disabled people who have demanded change in, for example, education, and access to public transport. These new groups, using direct action tactics, have brought disability politics to national attention. They have spoken out against traditional unrepresentative charities for disabled people, challenging their right to speak on behalf of disabled people. For example, Direct Action Network, a radical group of disabled people, have moved on from campaigning for accessible public transport to a 'Free Our People' campaign inspired by American struggles to liberate disabled people from nursing homes and other institutions.

The Disability Discrimination Act of 1996 is testament to the success of these strategies. The need for this legislation was not accepted by the then Conservative government, which was reluctant to concede that disabled people experienced discrimination, and numerous previous attempts to introduce this legislation had failed. The 1996 Act, despite its failure to deliver comprehensive and enforceable civil rights, marks a watershed in the treatment of disabled people because it acknowledges, for the first time in British law, the presence and practice of discrimination against disabled people.

Similar changes have taken place in Europe and in European legislation which have, in the main, been driven by the action of disabled activists. For example, in 1993 a Disabled People's Parliament convened in the European Parliament building. The President of the Parliament, commissioners and other politicians listened to speeches from 81 of the 440 delegates. This led to a major change in European political attitudes, to the acceptance of disability as a human rights issue and a move away from a focus on quotas for employment towards the broader issue of disability discrimination.

Citizenship

The civil rights approach demanded by the Disabled People's Movement and endorsed, albeit weakly, within the Disability Discrimination Act, are presented as the answer to the exclusion of disabled people. At the heart of these demands is a notion of citizenship which is contained within a concept of legal rights and legal obligations. That is, disabled people can be included provided they are given full civil, political and social rights. The civil element refers to individual freedom, the political to the right to participate in the exercise of power and the social to the right to economic welfare, security and access to resources through which the norms prevailing in that society can be achieved.

Despite this legislation, the status of disabled people as second class citizens has yet to be resolved. This is the case even in the USA, where far more comprehensive anti-discrimination legislation has been in place since 1990. Similar legislation has also failed to achieve significant improvement in the lives of many women and black people. This has led many to question the validity of legislating for citizenship.

Also, critics of this concept of citizenship in the Disabled People's Movement have challenged the notion of independence and autonomy enshrined within these demands. It is suggested that this is a male-dominated perspective, which ignores the way in which individuals are dependent on each other. An agenda driven by rights has to be balanced with ideals based on care, solidarity and relationships. These are not inferior, but different. Feminist 'ethics of care' philosophers provide an important corrective to the rhetoric of independent living that predominates within much of the political writings on disability. They argue that we all, whoever we are, rely on each other in varying ways and at varying stages of our lives, that everyone is variously dependent and that aspiring to independence reinforces rather than resolves the problem.

Conclusion

This account suggests that the problems of disability cannot be solved merely by drawing upon traditional political concepts and seeking admission to existing political structures. While, at a rhetorical level, notions such as civil rights and citizenship are powerful slogans, the complexities of the politics of disability demand a more complex solution. Yet there is little doubt that disabled people remain the poorest of the poor and this must make disability a key item on the political agenda of the twenty first century. However, it is difficult to see how civil rights can deliver full citizenship for disabled people within the prevailing systems of power.

Despite these misgivings, the social model of disability has been important in instrumental terms. It has been the driving force behind many campaigns that have made significant material differences to the lives of millions of disabled people world wide. For example, the development of centres for independent living and other self-organised groups have led to changes around the meaning of disability, changes in the response of professionals and carers to disabled people and new legislation and policy. Disabled people have begun to realise that they have a right to demand equality and justice.

Questions for discussion

1. **What are the strengths and weaknesses of the social model of disability? What would have to change to make disabled people experience Scotland as a more democratic society?**
2. **Is a rights-based approach the only solution to ensure equality for disabled people?**
3. **How can the experience of disabled people extend our understanding of universal rights?**

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Sexual orientation

JAMIE RENNIE

Introduction

The emergence of the 'homosexual community' in recent decades has provided some of the driest political tinder for those who have been keen to ignite public hatred of minorities or simply to sell newspapers. Yet the collectivisation of lesbians, gay men, actively bisexual people and, more recently, transgender people (LGBT) into community activism has occurred nonetheless, although mostly out of the public eye.

Indeed, it is this invisibility which has held the LGBT community back from making the advances to parallel the legislative and social policy changes achieved in recent years by women, black and minority ethnic communities and disability groups. In comparison to these groups, it is rare to find forums for soliciting LGBT people's views within civic structures, but this is not due to a lack of demand for statutory consultative mechanisms. It must be recognised that the public profile of this community is invariably focused on sexual activity, 'unacceptable behaviour' or challenges to the definition or distribution of 'traditional' values and roles (such as parenting, partnership rights). LGBT people have certainly suffered from a populist media, which gives a false impression of an organised and active community with great power and influence.

Unlike some other minorities, there is no definitive social and demographic data about LGBT people in Scotland and little or no research base from which to understand their patterns of life, work, and communal identities. Nor do they have any state-sponsored bodies such as the Equal Opportunities Commission or the Commission for Racial Equality to champion their rights. Moreover, the National Census of 2001 fails to highlight this issue because it excludes any reference to sexual orientation. This leaves only anecdotal evidence, often dismissed by opponents of LGBT equality, which suggests that 5-10 per cent of the population identify with being substantially attracted to members of their own sex. Of these, a large percentage will be open or 'out' only to themselves or a few other people who are close to them because of fear of harassment, loss of job or ridicule.

Homophobia and heterosexism

LGBT people have a history of persecution; from biblical times to the witch burnings of the Middle Ages; from the prosecution of people like Oscar Wilde to the 'pink triangle' of the Nazis and their death camps during the Second World War. Yet this is a history of oppression which children do not learn about in school, thus perpetuating hatred and fear of homosexuals and their supposed behaviour.

The growing gay civil rights movement in the USA in the 1970s gave rise to the term 'homophobia' to express the fear or dread of homosexual people. The term has been improperly interpreted as a medical or psychological condition. This has been successfully used in the courts to defend violent actions against gay men as justifiable responses to the revulsion felt by the perpetrator(s) of such crimes. Others favour the term 'heterosexism' (the belief that it is better to be heterosexual than homosexual) to homophobia. Like sexism, racism, and other ideologies of oppression, heterosexism is manifested both in societal customs and institutions such as religion and the legal system (cultural heterosexism) and in individual attitudes and behaviours (psychological heterosexism). Cultural heterosexism refers to the dominant values which underpin custom and law; psychological heterosexism refers to a psychological need to commit acts of violence against homosexual people. These violent acts are rationalised and reinforced by cultural heterosexism which constructs public awareness and acceptance of such acts. We can see, therefore, how cultural and psychological heterosexism can create a circle of oppression, one reinforcing the other.

For LGBT people the levels of hatred

and violence towards them act as a barrier to taking part in citizenship activities; physical safety is a fundamental foundation of self-esteem, without which it is nearly impossible to articulate opinion. The LGBT community is four times more likely to be physically attacked (Morrison and MacKay, 2000), their job prospects are lower and they are more likely to experience poor physical, mental and social health. In contrast, public perceptions of a flamboyant and wealthy 'pink class' are skewed by media portrayals of famous individuals. Despite this, LGBT communities in Scotland have begun to break down these barriers by questioning the institutional barriers (cultural heterosexism) to equality and by turning their isolation at a local level into participation at a national level.

Legislative background

The law has been a critical weapon in the institutionalisation of homophobia and heterosexism in mainstream society. Laws from the sixteenth century made sodomy a capital offence and were not reviewed until the nineteenth century. Indeed, it was not until 1981 that homosexuality in Scotland (between no more than two men over 21) was decriminalised. In the 1980s the Conservative government used the 'gay' community to attack local councils, introducing the now infamous Section 2A banning the 'promotion of homosexuality'. In the 1990s, the age of consent for sex between men was dropped to 18 years of age and then to 16 in 2000. Section 2A (more commonly, but inaccurately, referred to as Section 28) was removed from the statute book in 2001 after a bitter political fight.

Recent political and constitutional changes in Scotland have created an opportunity for a few political activists to add 'sexual orientation equality' to the provisions of the Scotland Act, with the result that it is now a requirement for the Parliament to consider LGBT issues within its consultative procedures. General dissatisfaction with a Westminster-style approach to politics, coalition government and a desire for Members of the Scottish Parliament (MSPs) to make names for themselves have all contributed to a more participatory approach to politics in Scotland. These factors converged with the Scottish Parliament's obligations under the European Convention on Human Rights and the high percentage of women MSPs who have welcomed the Scottish LGBT community's contribution in highlighting issues of gender and discrimination.

The Scottish Parliament has successfully introduced important legislative changes: the removal of Section 2A (this is still on the statute book in England and Wales), reduction of the age of consent to 16 and changes to education, regulation of care and housing legislation, have been important developments. However, these advances have been won through arguments based on evidence of institutional inequality resulting in cultural oppression and victimisation. Parity with other equality constituencies (such as race, gender, disability groups) have been important too. Where necessary, these arguments have been carried out through the courts using the European Convention on Human Rights, giving the government little room for manoeuvre. These changes recognise LGBT people as victims of injustice and yet there are still no examples of positive action or special recognition for cultural differences.

Change has been difficult to achieve because, fundamentally, there is no capacity within the LGBT community to apply the same levels of political pressure which, for example, the 'hunting lobby' or older people seeking better pension rights can bring to bear. Instead, the LGBT community leaders had to rely largely on consultative mechanisms and practices to make their case. This invisibility, which may be a strength for the individual in a time of need, is a weakness in projecting a national voice capable of being heard by the people

of Scotland, not just their MSPs. In some respects, therefore, there has been little headway made in winning the hearts and minds of the nation. One indication of this was the unofficial referendum to retain Section 2A that attracted over a million votes, of which the vast majority wished to retain the law in its homophobic form. Although the way in which the case was presented clouded the issue in relation to the repeal of Section 2A, nevertheless there is clearly a general mistrust and suspicion of the LGBT community and its contributions to society.

Community learning and democracy

The national rally and festival – Pride – is well supported each year. This event represents the best chance to get together en masse and attract national attention. However, a few thousand people represents only a small proportion of Scotland's LGBT community, which seems to indicate that they have little ownership of their own democratic struggle.

This effective disenfranchisement is exacerbated by several factors:

- Democracy in Scotland is based on geographical communities rather than communities of interest;
- For communities to organise effectively there needs to be good communication – the LGBT community has poor communication networks;
- Activism results in loss of anonymity for individuals – and so brings risks and consequences for which there is little protection (for example, within job, home, family);
- Advances in the rights of LGBT people have not brought about new freedoms but rather decriminalised individual behaviours.

Participation in the struggle for equality is difficult for many individuals. Scotland's appetite for democratic intellectualism has not stretched to helping LGBT people grow up in a state education system which teaches about, or even acknowledges the history of, their community, or encourages them to be honest and open about who they are with their teachers and families – or perhaps even themselves.

LGBT people start learning late in life about their community and, indeed, they have to start from scratch each and every time. There is no ongoing cycle of community learning since there is rarely any family link between individual LGBT people. This is a weakness that other equality constituencies do not exhibit to such a degree. For example, a young black women may face discrimination and prejudice in her everyday life, however, it is likely that she will be able to access the support of her family and friends. She may be part of a cultural community and will have role models and a better understanding of her history and culture. She is likely to have black friends and draw strength from all of these support mechanisms. These are the forms of support and personal development often denied to LGBT people and they create constant tensions between living openly and being accepted within mainstream society. Their ability to express thoughts and feelings about their sexual orientation is impaired through lack of practice and their contribution to political life tends, therefore, to be weak.

It is perhaps important to note that there is an assumption that LGBT people want equality and cultural acceptance in mainstream society. However, very few are willing to make the personal sacrifices necessary to progress the debate. Here a contradiction emerges for people between avoiding the pressures of psychological heterosexism (not being visible) and taking part in activity that can lead to their liberation, i.e. to move towards increased equality depends on people being visible, or 'out', in order to advance their case.

Internalised homophobia

There will be thousands of influential LGBT people in the arts, politics and commerce but very few are 'out', or openly gay or lesbian. This can be explained in terms of cultural heterosexism and power, i.e. succeeding in a heterosexual society requires the adoption of its dominant characteristics or, at least, the suppression of an LGBT identity. Too close an association with this community, and the heterosexism that oppresses it, can lead to loss of power, influence and status. This amounts to an internalised homophobia: the adoption of heterosexist cultural norms by LGBT people in order to deflect attention, stigmatisation or hostility of others.

This has resulted in many homosexual people denying or severing their links with the LGBT community – at best dismissing it as an irrelevance and, at worst, actively working against equality. For instance, the 1999 Westminster Cabinet boasted three senior ministers who were openly gay – none of whom spoke out on LGBT issues. In this respect, it is worth noting that there is still no employment protection for people on grounds of sexual orientation; registered partnership rights (marriage) have not even made it onto the political agenda.

Internalised homophobia is understandable in terms of individual behaviour, but there is no denying that it has a major impact on the ability of this community to make progress towards social inclusion. It leaves LGBT people without role models, spokespeople or champions, perpetuating their marginal position as an underclass on the fringes of mainstream politics and society.

Conclusion

Heterosexism is not only a block to both the democratic participation of LGBT people in Scotland but also, and more fundamentally, to their collectivisation as a community. The fact that there is simply no data on the wider LGBT community leads to both a mistrust of existing research and the recycling of popular myths (for example, that most child sexual abuse is perpetrated by gay men). It is impossible for any community to play its part in democratic life when it has no coherent identity, and does not even know who belongs to it.

Small scale but effective lobbying has already made a significant impact on the legislative programme of the new Scottish Parliament, however, and consequently on cultural heterosexism in Scotland. What now needs to be established is how close the priorities of LGBT activists are to those of the wider LGBT community. Closing this gap will help to increase the visibility of LGBT people and to reduce the psychological heterosexism which disenfranchises them.

Questions for discussion

1. **How does heterosexism help us understand the pressures faced by many LGBT people?**
2. **In what sense is the development of LGBT rights a challenge to traditional values? Is there any evidence that these values are changing?**
3. **What are the arguments for and against treating sexual orientation as a private matter and a public issue?**

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Faith communities

ANDREW MORTON

Faith

The term 'faith communities' is a recent and helpful way of speaking about forms of association based on religion. The word 'faith' highlights the fact that religion involves a world view or way of understanding the world, and in that sense it is a stance which is both cognitive and comprehensive. Of course religion is practical as well as intellectual, being an orientation of action and emotion as well as of thought, the three being intertwined; but the stress on the cognitive nature of religion is important and counters any notion that it is simply a matter of taste and in that sense merely subjective. The stress on its comprehensiveness is important also, and counters any notion that it is restricted to some private realm and has nothing to do with the public realm.

Communities of faith

The word 'community' too is helpful, despite a certain danger of overuse for it stresses the closeness of the relationships involved in religion, with people meeting not with their edges but with their centres and affecting powerfully their sense of identity. Faith community then, having so much to do with who people are and how they see the world, is bound to be a significant influence, for good or ill, on their participation in the political culture and institutions of the society to which they belong.

Today in Scotland the little letter 's' in 'faith communities' is also important, for the truism that we live in a plural society is true. In the past in this country Christianity had a virtual monopoly; not now. This is not to deny that it remains the largest faith community by a long way, with somewhere between one and two million, probably about a third of the population, on the churches' books or claiming to belong. The majority of these – over a million – are in the two largest churches, the Church of Scotland and the Roman Catholic Church, and the others (around a hundred thousand) are in the Episcopal, Free, Baptist, United Free, Congregational, Methodist, United Reformed, Quaker and independent traditions. However, though the Christian community is still numerically overwhelming, Scotland is now a multi-religious society.

The first and most obvious reason for this is that many of the new settlers in Scotland in the last half century or so, especially those from Asia, belong to faith communities other than Christian, notably Muslim, Sikh, Hindu and Buddhist, while for more than a century, Judaism has been represented through the arrival of settlers from elsewhere in Europe. Together these communities are reckoned to number around 50,000.

When different faith communities encounter one another in this way as immediate neighbours in the same country, it has a profound effect. At the very least, it brings home to people that there are more faiths than their own. It is one thing to know this in a dim and distant way and quite another to meet it face-to-face in your neighbours, even if as neighbours you merely coexist; but if you go to the same school or workplace, you do more than coexist. If, in addition, you engage in active 'sharing of faiths' meetings such as have been held in Scotland since around 1970, then there is a real meeting of minds, and when minds meet they are liable to change. Above all, when we move from a one-faith to a many-faith society, the unquestioned authority of one's inherited faith gives way to questioning. It has to step down from its single high pulpit 'six feet above contradiction' and sit on one of a number of equal chairs at floor level. It can no longer rest on the external authority of a handed-down tradition, but must establish the internal authority of its own coherence and plausibility. So, the encounter of faith communities with one another has generated lively reflection and dialogue, not only

between faith communities but also within them and within individual people. This has not only been a maturing of religion, but has also been a good school for coping with the increasingly inclusive and diverse democracy that is emerging in Scotland.

It is not just the presence in Scotland of members of faith communities other than Christian that makes this a multi-faith society, however; it is also the earth-shrinking effect of the communication revolution. Because of it, we don't just live in Scotland or the United Kingdom; we live in the world. People at the other side of that world are now, in a sense, our immediate neighbours, whom we see and hear daily. In this way we are confronted with the world's many cultures and many faiths.

All of this has had an effect on schools, with religious education really becoming 'religious' and no longer confining itself to Christianity. There has also been a great effect on academic teaching and scholarship. Whereas in the past, in Scotland's four Faculties of Divinity it was almost exclusively Christianity that was the subject of the standard philosophical, historical, literary, linguistic and social scientific studies, it is now religions in general. The effect of this is more far-reaching than even the move from the one to the many. It is that there is now a broader and deeper understanding of the nature of religion as a life stance that presupposes transcendence. There is also greater appreciation of its dynamic and developing nature, of the interaction both between different religions and between religious and non-religious life stances and, not least, of the chicken and egg relation between religion and culture.

Four features of religion

Four features of religion have come clear from the meeting of faith communities, whether within Scotland or throughout the global village, and from further reflection on it, whether general or scholarly. First and most obvious is the huge diversity of forms of religion, reflecting at least in part the diversity of cultures. This includes diversity within one faith community as well as between several. For example, it has been an eye-opener to Christians in Scotland to discover the great contrasts not only between Western and Eastern European Christianity, with Catholics and Protestants in the West and Orthodox in the East, but even more between European Christianity and Asian, Latin American and increasingly African Christianity. To discover that what you thought was part of Christianity is really customary Scottish and what you thought was 'pagan' African is part of Christianity is no small discovery; it helps you to begin to distinguish more perennial features from more ephemeral ones and thus deepens your understanding.

A second and more recent feature is the revival of pre-literate or primal religion, which was largely overshadowed and sometimes rejected by the religions that developed a literature, the so-called 'great world religions' already listed. In part the so-called 'New Age' phenomenon is this rediscovery of the very old, unwritten (though not unspoken or unsung) religion which the literate urbanites dubbed 'pagan', i.e. 'peasant'. The 'Religion' section of almost any bookshop shows just how big this revival is.

A third feature of contemporary religion, which is largely confined to Europe, is its detachment from institutions. All faith communities in Scotland, as elsewhere in Europe, report a considerable detachment of people from religious institutions, from acknowledgement of their authority and from observance of their authorised practices – in short, a great reduction in religious belonging. This is not surprising, given the already mentioned undermining of the authority of tradition that has come with pluralism. It means that faith 'communities' are less clearly defined communities than they were; for with people's looser attachment to formal membership of

the community and to its prescribed observances, its boundary has become blurred. It seems that, whereas in the past 'religion' meant one or other indivisible set of people with an indivisible set of views and ways, it now means individuals from any of these sets of people choosing their own mix from any of these sets of views and ways. In that sense, Europeans are tending to move from having 'a religion' to having 'religion'.

This is misunderstood if it is described as 'secularisation', which tends to mean a reduction of religion. The evidence is that Europe is seeing not the reduction of religious belief but the growth of 'believing without belonging' in the sense that, while religious beliefs and attitudes are not reduced, religious allegiance and observance are.

A fourth feature of religion is its persistence. Indeed on a world scale the classic faith communities, including Christianity, are expanding (the loss of institutional allegiance being confined mainly to Europe). At the same time, the more general and more individual exploration of religion, whether it draws on those classic world faith communities or on the preliterate 'old/new age' forms, is becoming more and more vigorous.

Plus or minus

If this means that religion is alive and well and living in Scotland as elsewhere, the question is whether this is good news or bad for the new Scottish democracy. The quick answer is that it remains to be seen. Religion is not exempt from the ambiguity of things; it shares the fallibility and corruptibility of humanity – indeed the corruption of the best can be the worst. One does not have to look far in the world to see that religious identity can be a powerful part of the deadly mix that causes hostility. So there is no guarantee that religion will be benign. However, the faith communities in Scotland, as elsewhere, have much positive potential for democracy, when they are true to their basis. Here are three aspects of that.

First, they ask ultimate questions, the huge ones like: Does life have a meaning and if so, what? What is it to be human? What matters most? These may seem a far cry from questions of housing, employment, health and education, but they are not. The smallest issues of policy and practice presuppose the largest questions of meaning and value. Without vision, people perish, and without those who ask why, the best-intentioned regimes can become tyrannous.

Second, faith communities maintain continuity between the past and the present, drawing on ancient wisdom. Though at worst they can be tradition-bound, exalting the past's authority and shutting off contact with the present, at best they hold a healthy tension between them, in which the new is not a disowning of the old but its transformation, producing an evolving stability or stable evolution and avoiding slavery to fickle fashion or passing popularity.

Third, faith communities, while they may have national manifestations, are transnational, relating particular identities to that which is universally human. Though at their worst they can contribute to exclusion and division, at their best they stand for inclusion, unity and the interdependence without which there is no real independence.

These three features could be described as three dimensions of universality: the universal depth of the ultimate questions, the universal length that spans time, and the universal breadth that reaches round the world. This is not a universality that suppresses diversity. The mutual encounter of faith communities, in both the nineteenth and twentieth century Christian ecumenism and the twentieth and twenty-first century religious ecumenism, has already given much experience of discovering unity in diversity. This will be important

for those learning to be distinctively themselves while being inclusively Scottish and to be distinctively Scottish while being inclusively global.

Finally

It is in a faith community that I for one have found the deepest self-criticism and the broadest human sympathy, two essentials for keeping the world, including Scotland, 'safe for democracy'.

Questions for discussion

1. **What do you think are the positive and negative features of religious education in schools?**
2. **The three 'social partners' at the heart of the Scottish Civic Forum are churches, voluntary organisations and trade unions, and of its thirteen categories of interest groups faith communities are one. Is this good?**
3. **Faith community representatives lead reflections in the Scottish Parliament. Is this good?**

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Young Scots

IAN FYFE

Introduction

> *No one is born a good citizen; no nation is born a democracy. Rather, both are processes that continue to evolve over a lifetime. Young people must be included from birth.* (Kofi Annan, Secretary General of the United Nations, 1999)

The public image of young people relies on common sense assumptions about their expectations, roles and responsibilities as potential citizens which are often confusing and contradictory. On the one hand, young people have become objects of policies which construct them as citizens, stakeholders and potential partners in local governance; on the other, they are presented as threatening to others or at risk themselves. The lives and lifestyles of young people have been directly affected in recent years by significant technological, social and economic forces; they face a wide range of pressures and problems, not least their co-option into the prevalent consumerist culture. Increased surveillance and regulation of their use of public space – both physically and in the media – add to a growing sense of alienation. Furthermore, their potential political agency is undermined by a managerial state that seems more concerned with performance outcomes than democratic processes.

The ideologically driven policy intervention in the lives of young people, over the past 20 years, has contributed to the creation of what some commentators have called the 'risk society', in which young people face a set of risks largely unknown to their parents' generation. A raft of policy initiatives which have been implemented since the 1980s have included: the removal of welfare benefits, restricted access to suitable and affordable housing, rapid expansion and diversification of post-16 education and training and increased access to, but reduced financing of, higher education. As a result, Scotland has witnessed growing youth unemployment, young homeless people begging on the streets of our towns and cities, rising youth crime, drug and alcohol abuse and teenage suicide. In addition, the reconstruction of the youth labour market has resulted in some young people becoming excluded from the very political and social institutions of society which should sustain their involvement as citizens in public and civic life.

Young people, transition and citizenship

Youth is a period that embraces a related set of transitions in economic, inter-personal and political roles. The often complex trajectories along which young people move are directly affected by a range of indicators including educational attainment, social class, race and gender. While the period of youth is seen as a bridge between childhood and adulthood, it also represents a time of transition to the rights and responsibilities of adult citizenship. For the majority of young people this transition is negotiated successfully, but for many it can be a hazardous journey. Until they successfully navigate the staged and often protracted pathways towards adulthood, young people are not formally regarded as citizens.

The concept of 'youth' is generally viewed as a stage of deficiency in relation to adulthood. However, the understanding of youth as a relational concept brings power to the forefront of the analysis of young people's role as citizens. Although they have 'rights' as young citizens, these are relatively easily denied, and they have very little say in the institutions in which they have most at stake. At best, their participation in decision-making processes seems to be little more than consultation, which easily becomes tokenistic. The social rights of citizenship appear to accrue to them indirectly through the adults responsible for their care and development as future citizens. In other words, it could be said that young people are accorded citizenship rights not as a result of their own status but, rather, via the

rights acquired through their parents – 'citizenship by proxy'. Historically, the welfare state has been primarily concerned with locating the rights of children and young people within the family as a whole. Consequently, young people's ability to access and exercise their rights as citizens is further undermined by wider socio-economic inequalities – especially differential access to financial support from families during an extended period of economic dependency. The outcome is that young people are generally viewed as 'quasi-citizens', 'deferred citizens' or 'proto-citizens' whose status is controlled by the policy mechanisms of the state as they move through the stages of transition towards adulthood. This attenuated process of transition results in the postponement of the opportunity to engage with the responsibilities of adulthood. So in what ways are young people currently engaging collectively and critically as real stakeholders in the 'new' Scotland?

Young people and politics

Over the past few years there has been evidence of increasing disillusionment with traditional politics among young people. Research undertaken prior to the General Election of 1997 found that only 5 per cent of 12 to 25-year-olds identified with any political party. Only 37 per cent of the young people surveyed across the UK stated any interest in politics, with only 5 per cent claiming involvement. In the same year a survey by Connect Youth found that 39 per cent of young people living in Scotland were either undecided about voting or stated that if there were an election tomorrow they would not vote. This apparent lack of interest in party politics is also reflected in the low levels of youth membership of mainstream political parties in the UK. From a study of the main political parties conducted in 1996 (which excluded the Scottish National Party and the Scottish Socialist Party), the percentage of under 25-year-olds in membership was 1 per cent of the Conservative Party, 3 per cent of the Liberal Democrats, 4 per cent of Labour and 12 per cent of the Green Party. However, such apparent lack of interest in party politics should not necessarily be taken as an indication of political apathy because there has been a dramatic increase in young people's membership of other organisations and social movements. For example, the British Youth Council recorded that between 1988 and 1995 the membership of the Amnesty International Youth Section increased from 1,300 to 15,000; the youth membership of Greenpeace expanded from 80,000 in 1987 to 420,000 in 1995; over the same period Friends of the Earth reported a growth of 125,000 in new young members. This would suggest that they strongly identify with issues that concern them directly and engage them actively. During the past decade in particular, many young people have also expressed their politics in protest and resistance through involvement in organisations such as those that address animal rights, nuclear disarmament, environmental concerns and more recently, anti-capitalist protests.

Active involvement of this kind generally takes place outside the terrain of mainstream party politics and relies on alternative and creative forms of participation, protest and action. It is significant that some organisations and movements have quite deliberately targeted young people – as both citizens and consumers – through the recruitment of high profile media figures. For example, in their global campaign to challenge debt in the developing world, Jubilee 2000 employed the services of stars from the world of pop and rock, and Amnesty International promoted campaigns and raised funds through the sale of clothing and other merchandise styled by high profile designers and modelled by Hollywood celebrities.

Citizens in waiting?

While young people are less likely than adults to participate in party politics, they can influence the cultural politics of civil society through their personal lifestyles and roles within communities. The often subversive activities of youth sub-cultures enables young people to form a critical detachment from mainstream politics, and may occasionally lead them to create support for oppositional groups. However, the social construction of young people as citizens is largely framed by the policy interventions of the state. Their opportunity to participate is governed by a contradictory framework that describes them as both the future generation of the nation as well as a threat to the stability of community life. The media persists in reporting a decline of morality (e.g. drug abuse) and the rise of deviancy (e.g. anti-social behaviour) amongst the young of Scotland. Within communities, when groups of young people meet in public spaces they generate suspicion by adults. They are seen to be in need of control, or protection, rather than citizens with the ability and desire to make informed, responsible and active contributions to society. Few opportunities exist for them to engage in dialogue and decision-making around important issues in their lives, outside of adult-orientated structures and institutions. Attempts to involve them in local governance can result in young people becoming objects of concern as opposed to subjects of collective social action. This often results in them feeling ignored, isolated, under-represented and patronised. Research supports the view that their opinions, experiences and aspirations are not taken seriously by politicians. In recent elections thousands of eligible young people have not exercised their right to vote and, in many cases, either through choice or ignorance, not even registering as members of the electorate. The result is that many young people are excluded or exclude themselves from mainstream politics. Despite these observations, there are examples of them engaging in political activity.

The role of young people as political agents in conflict and change across the world and the direct impact of their collective action was nowhere more apparent than in the events in Eastern Europe during the period from 1989 to 1991. The informal organisation of students had a major influence during the democratic 'revolutions' in Czechoslovakia, Lithuania, Romania, Bulgaria and Hungary. Militant young people orchestrated the political demonstrations in Tiananmen Square in China. Young people from the townships were also critical and innovative participants in the widespread militancy that eventually led to the transition to democracy in South Africa. Through self-organisation these movements have challenged the local and central state to recognise and respect their civil and human rights. What appears to have driven the young people involved in these collective struggles was their participation in a new kind of political force, challenging adult order and structures. So what does this mean for the potential political agency of young people within Scotland?

Here too there is some evidence of young people organising collectively to effect social and political reform. For instance, the organisation Connect Youth was established in 1995 to create, develop and support a national network of grassroots local youth forums and participative events across the country. This initiative also contributed to the creation of the Scottish Youth Parliament in July 1999, which is composed of around 200 democratically elected delegates between the ages of 14 and 25 representing young people from all parts of Scotland. The Scottish Youth Parliament is currently working towards an agreed plan of action, but its impact is still to be tested.

The challenge to the state and civil

society within the 'new' Scotland is to recognise the potential of young people as active partners in the ongoing process of democratic renewal. Their political agency needs to be recognised for the diversity, creativity, dynamism and energy it can offer. For example, new public spaces opened up by social movements provide young people with an arena for collective political expression and action on the issues that they think are important. The active participation of young people in decision-making now requires a new relationship between the state and civil society – one in which young people are regarded not simply as vulnerable and needy, nor as problems to be solved, but as citizens in their own right.

Questions for discussion

1. **What do young people have to offer to the process of democratic renewal in Scotland today?**
2. **How could the Scottish Parliament better represent young people's interests? Will the Scottish Youth Parliament help?**
3. **Why do you think so many young people are alienated from traditional politics? Does it matter?**

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SECTION 4 –
IDEAS FOR DEMOCRATIC RENEWAL IN SCOTLAND TODAY

Welfare policy and democratic change

STEPHEN MAXWELL

The limits of democratic change in Scotland

The campaign for the creation of a Scottish Parliament was led by political and cultural arguments. The most clearly articulated expectations were for a more effective and timely government response to identified Scottish needs, a more open and consensual process of government and a reinforcement of Scottish identity and self-confidence. The classic texts of Scottish legislative devolution are the Scottish Claim of Rights and the prosaically titled Report of the Consultative Steering Group on the Scottish Parliament.

However, as the public response to the singing of *'A man's a man for a' that'* at the formal launch of the Parliament suggested, there was a strong undertow of feeling for a fairer and socially more just Scotland. One of the key episodes in the growth of devolutionary sentiment had been the widespread rejection of the poll tax in Scotland, not just because of resentment at its introduction in Scotland a year ahead of England, but also because of the perceived injustice of a flat rate tax for all levels of income earners. The majority vote in the referendum on devolution in favour of a tax varying power for the Parliament also suggested that Scots were willing to consider paying more tax for improved public services. But when elections for the Parliament were held in 1999 none of the political parties had built on these sentiments to develop a comprehensive programme of social reform for the new Scotland.

The main cause of this low-key approach to social issues undoubtedly lies in the limitations on the power of the Parliament, most obviously its lack of competence on social security and in most areas of tax. But an important subsidiary cause can be found in the weaknesses in Scotland's institutional base for social policy development. While Scotland had contributed significantly to the political and ethical foundations of the British welfare state, its intellectual contribution to the wartime and post-war policy debates had been modest. The rapid post-war moves to centralise the management of the social security system at UK level distanced Scottish opinion further from a central pillar of the new welfare regime. For most of the post-war period, policy expertise in the Scottish Office and the universities has been heavily concentrated on housing, urban regeneration and education. More recently, with the help of a growing contribution from the voluntary sector, expertise has begun to accumulate in family and child studies and community care. But poverty studies and the capacity for holistic social policy remain underdeveloped. This is no trivial weakness. While the focus of debate around the campaigning to create a Scottish Parliament was on constitutional matters and issues of political process, it is likely that the Scottish public will judge the Parliament on its success or failure in improving Scotland's social and economic conditions.

Continuity and change

The immediate post-war trend towards the centralisation of political and economic power in London quickly generated a Scottish reaction led by the Home Rule Covenant movement of 1949. As London's control was relaxed, a distinctive and semi-autonomous Scottish system of making social policy re-emerged. Its key players were the officials of the devolved administration in St Andrews House, local authorities, and organised professional and economic interests including schoolteachers, lawyers, health professionals, trades unionists and businesses. Its typical mode of operation was consultation among the established players, usually around a Scottish Office policy draft or the report of an official inquiry, leading to a consensus which, after adaptation to the political circumstances of the day, was implemented by Scottish politicians through the semi-autonomous legislative process

which Westminster had evolved to deal with issues of domestic Scottish concern.

According to Lindsay Paterson (1994), this pluralist system of Scottish social policy allowed a distinctive Scottish social ethic to flourish, as exemplified in the Social Work Scotland Act (1968), the Scottish system of comprehensive education and the more positive aspects of Scotland's post-war housing policy. While it did not secure direct accountability of Scottish policy makers to the Scottish electorate, it did provide popular legitimacy for Scotland's own essays in social democracy. This system was effectively ended by Mrs That her's re-assertion of centralised control from 1979.

The undoubted strengths of the system need to be set against some equally obvious weaknesses. Its own admirers admit its corporatist hostility to more radical concepts of participatory democracy. It had some notable failures of commission, including persevering with a public programme of standardised public housing long beyond its usefulness. In some areas – community care, for example – it lagged far behind England and Wales. Most conspicuously perhaps, it failed in the 1970s – even with the bargaining power of Scotland's new status as a major oil producer behind it – to make any significant policy response to the public disclosure of the exceptionally high levels of poverty in Scotland. Confronted by a widening gulf between social reality and economic potential, the system was paralysed.

Nor did Mrs Thatcher's arrival in government simply spell the end of the system. In some areas – the poll tax and primary school testing being obvious examples – she determined policy without any reference to Scotland's wider policy community or in flagrant defiance of it; in other areas consultative structures and processes preserved space for distinctive Scottish outcomes. The now defunct Manpower Services Commission had an advisory structure at United Kingdom, Scottish and local levels which for the first time involved the voluntary sector alongside established players such as local authorities, business and trade unions and allowed a distinctive Scottish pattern of provision of services for unemployed people. The European Structural Fund's programmes similarly supported Scottish and regional partnership structures capable of producing Scottish variations on UK themes. The implementation of the government's community care policy, for example, carried a clear Scottish imprint. The Enterprise networks established in Scotland reflected a Scottish view of economic development priorities in Lowland Scotland as well as a distinctive view of the interdependence between economic and social development in the Highlands and Islands.

Urban regeneration provides another example of distinctive Scottish policy processes and outcomes persisting through the Thatcher era. In particular, the New Life For Urban Scotland initiative, launched in 1988, drew on the experience of preceding urban initiatives in Glasgow and elsewhere to give a central role to consensual partnership working, involving the communities themselves in a formal role, thus establishing a policy theme which has been developed and strengthened by succeeding Scottish administrations in consultation with the Scottish policy community. Even a comparison between the Social Work Scotland Act (1968) as the paragon of Scottish pluralist policy making and the Children (Scotland) Act (1995) yields nuanced differences rather than stark contrasts. The process of developing the 1995 Act was not obviously less pluralist than the process which led to the 1968 Act, with the voluntary sector's leadership role a distinctive feature of the later legislation. While Mrs Thatcher undoubtedly constrained the operation of Scotland's pluralist policy system, the system continued to operate during nearly two decades of minority Conservative government.

Social inclusion and social justice

The launch of the Scottish Parliament transformed the context for policy making in Scotland. The existence of the Parliament led to a major expansion of the Scottish policy community, introducing standing Parliamentary committees and Ministers with specialist social policy portfolios. It also increased civil service staff and full-time policy advisers, stimulated the growth of academic policy studies and specialist policy appointments in voluntary organisations, and fertilised Scotland's first crop of policy think-tanks. The radical prospectus described in the report of the Consultative Steering Group on the Scottish Parliament and elsewhere offered a glimpse of a future Scottish polity in which the policy community becomes indistinguishable from the wider civil society and Parliament surrenders its titular claim of monopoly legislator to serve as catalyst and co-ordinator of civil society's policy-making role.

While the record of the new institutions is too short to yield clear evidence about how far they will move towards that Utopian vision, the evolution of the Labour Government's social exclusion strategy in Scotland does offer some insights into the impact of the new Scottish democracy on Scotland's approach to welfare policy. The Scottish Office's first response to the Prime Minister's launch of the social exclusion theme in late 1997 was to establish a Scottish Social Exclusion Network consisting of civil servants from Scottish Office departments and representatives from the Benefits Agency and Scottish Homes, co-ordinated by the Area Regeneration Division of the Scottish Development Department. The Network published a consultation document which combined summaries of existing information on the social state of Scotland with statements of existing government policy commitments focusing on the New Deal and other measures related to the labour market. The paper provoked an emphatic response, including submissions from one hundred voluntary organisations. Key themes in these responses were the need for measures directly tackling income poverty to be at the heart of any strategy, a warning against over-reliance on labour market measures, and the need for groups experiencing exclusion to be involved in the development of policy. There was also wide support for rebranding the strategy in Scotland as a social inclusion strategy and a demand that membership of the network be extended to representatives of voluntary organisations capable of feeding back to their constituencies as well as to people with direct personal experience of social exclusion.

Sensing that it was out of step with the expectations of a more participatory style of politics, the Scottish Office moved rapidly to convene a renamed Scottish Social Inclusion Network, mixing civil servants and individuals from organisations with a representative role such as the Convention of Scottish Local Authorities and the Scottish Council for Voluntary Organisations, with staff from voluntary organisations with specialist experience and community representatives. On the recommendation of the network, the largely critical responses to the consultation paper were published and a policy options paper restating existing government priorities was withdrawn in order to allow five working groups with additional members from the voluntary sector, community groups and the universities to carry out wider consultations.

The rapid evolution of the Scottish Social Inclusion Network from a Scottish Office interdepartmental working group to a broadly based network serviced by the Scottish Executive represented a significant divergence from developments in Whitehall. There, a Social Exclusion Unit was established as a grouping of paid staff drawn from the civil service, think-tanks and the voluntary sector. It was located in the Cabinet Office under the direction of a senior Treasury official without any

reference group representative of wider society. Whereas the Whitehall Unit concentrated much of its effort on specific issues such as teenage pregnancies, rough sleepers and school absenteeism, the Scottish Network provided a forum in which voluntary organisations and communities were encouraged to present their views on the 'big picture' as well as contribute to the development of specific policies.

If the composition and the role of the Network represent a significant move towards a more democratic system of social policy-making in Scotland, has there been any corresponding change in the content of Scottish social policy? In the areas of policy in which the network was directly engaged, there are some modest signs of a new radicalism. While the Executive's Social Justice Strategy for Scotland adopts broadly the same priorities and indicators as the English strategy, some distinctive themes emerge. For example, in response to the Network's proposals, the Minister has agreed to a pilot exercise to explore the possibility of defining a 'democratic' Scottish poverty level in the form of a 'participation threshold' of basic necessities for living in Scotland today to be identified by representative Scottish focus groups. In addition, pursuing an established theme of Scottish policy strongly endorsed by network members, the Executive is giving high priority to 'community empowerment' by seeking to reinforce the formal role of community and voluntary sector representatives in Social Inclusion Partnerships, build a locally controlled economic infrastructure and develop locality budgeting.

While cause and effect are impossible to determine, social policy developments in other fields also suggest that Scotland's new democracy is beginning to nurture a more radical and universalist culture. This is evident from the Cubie recommendations on student fees and graduate endowments, through the repeal of Section 2a (prohibiting the 'promotion' of homosexuality in schools) ahead of Westminster, and the Health and Community Care Committee's call for the removal of means-testing for the social care of dependent elderly people to the declared willingness of the Executive to consider radical reform of Scotland's charity laws. But the experiment is young and the evidence so far is merely suggestive. Two years into the life of the new Parliament, its capacity to sustain a more democratic style of policy-making and to foster more radical policy-thinking remains uncertain.

Questions for discussion

1. **Why is social welfare an important test for Scotland's new democracy? What are the main priorities for welfare reform and policy development in Scotland today?**
2. **Does the Scottish Parliament have enough power to make significant changes in welfare policy? Should taxes be raised to pay for such changes?**
3. **What are the arguments for and against using the term 'social inclusion' instead of 'social exclusion'?**

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Poverty and inequality

SALLY WITCHER

Poverty blights the lives of around a quarter of the population in the UK. Being poor means being left on the sidelines and going without the things that others take for granted. It means a greater likelihood of ill-health and an early death. It is not just governments that face 'hard choices'. For people in poverty it can mean choosing whether to eat, or be warm. Poverty also brings stigma and disempowerment. It means being quizzed by officials intent on weeding out the 'undeserving', and it means professionals making decisions about you and for you.

Scotland has some of the most deprived communities in Europe. According to a report by the Scottish Poverty Information Unit (SPIU, 1999), about a quarter of Scotland's population lives on incomes lower than half the European Union average – a slightly higher figure than for the UK as a whole. More recently, the Scottish Executive's annual report on social justice presents a generally positive picture of improvements in relation to various poverty indicators, while acknowledging much still remains to be done. Although poverty figures for Scotland and the rest of the UK are often similar, there can be differences when it comes to the causes and nature of poverty and inequality in Scotland, and the power to address them.

Defining poverty and inequality

How poverty is defined is a much-disputed political issue. Politicians in the past have even denied that poverty existed at all in the UK, arguing that it was merely a matter of inequality.

Poverty can be broadly defined as a lack of resources, but does it mean not having enough to survive? To go without food, clothing or housing is to be in 'absolute' poverty. Alternatively, 'relative' poverty means being unable to afford to participate in the lifestyles and activities that are accepted and expected in that society. Some have argued that relative poverty can more accurately be described as inequality; others, that what constitutes the 'absolute' minimum is in fact 'relative', as this too is defined by what is socially acceptable. It is clear, however, that concepts of poverty and inequality are closely intertwined.

More recently, there has been discussion about social exclusion which Tony Blair has defined as: 'a combination of linked problems such as unemployment, poor skills, low incomes, poor housing, high crime environments, bad health and family breakdown' (quoted in Scottish Affairs Committee, 2000). Low income no longer appears to play the central role that it usually occupies in poverty debates. It is seen as just one among a number of interconnected factors and processes. The focus on inequality also seems to be widening beyond comparing incomes to comparing different groups (such as disabled and non-disabled people, men and women) in terms of employment rates, educational attainment, health and housing tenure and so on.

Measuring poverty and inequality

One way of measuring poverty is by looking at the numbers of people living on means-tested benefits, especially income support. Bizarrely, this implies that if benefit is made more generous, and more people become entitled to it, then the numbers 'in poverty' would increase. By the same logic, abolishing the benefit would eradicate poverty! In 1997, 16.6 per cent of the population in Scotland had incomes on or below income support level (SPIU, 1999).

Another way of measuring poverty is to compare household incomes, for example, by looking at the level of families with less than half the average. In 1999-2000 the proportion of children defined as living in low income households in Scotland was given as 25 per cent by one such measure. According to the Child Poverty Action Group, Scotland has a lower proportion of children living in poverty after including household costs and a higher proportion

before housing costs, compared with the UK average. The Households Below Average Income (HBAI) figures also show widening inequality between richest and poorest – a gap that has grown faster in Britain than in most developed countries. While the poorest tenth of the UK population experienced a drop in their real income of 9 per cent between 1979-1996/97, that of the richest tenth shot up by a massive 70 per cent. Average income was lower in Scotland than in the UK as a whole and Scottish households were over-represented in the lowest income bands (SPIU, 1999).

A third way is to identify and cost the items and activities deemed to be essential in order to find out what level of income is required. According to the 'Consensual Low Cost Budget', over a third of households in Scotland were poor, or at serious risk of poverty in 1996 (SPIU, 1999).

Information about poverty and inequality in Scotland is not always readily available. UK-wide data sets (such as HBAI) often do not provide reliable information about the Scottish situation. There is, however, a new Scottish Household Survey which will help to plug the information gap over time. Without information, it is hard to demonstrate the nature and scale of the problem. It also makes it difficult to design initiatives to address poverty and to monitor how effective they are. Furthermore, if the voice of poor people cannot be heard, poverty remains a hidden problem – and this lets politicians off the hook.

Causes and effects of poverty and inequality in Scotland

There are underlying factors to do with geography, history and climate which present particular challenges to tackling poverty and inequality in Scotland. In recent years, there has been massive restructuring of the labour market. Changes to the agricultural sector are on a similar scale. On both fronts, Scotland has been particularly hard hit.

In the wake of industrial decline and the shedding of jobs in manufacturing, about three-quarters of the Scottish workforce are now employed in the service sector. 'Jobs for life' are but a distant memory and there has been a marked growth in temporary and part-time employment. Although unemployment rates are falling, low pay is becoming increasingly common. According to the Low Pay Unit, 44.5 per cent – almost a half – of all Scottish workers were low paid in 1977 (SPIU, 1999). So, while it might be true that paid work is the main pathway out of poverty, it does not follow that to be in paid work is to be out of poverty.

An estimated quarter of Scotland's poor live in rural areas. The Scottish Council for Voluntary organisations has estimated that 350,000 people are living in rural poverty. Rural Scotland has been adversely affected by changes both in agriculture and the labour market. Rural economies may depend on just one employer or single industry. Access to training and education is more difficult and high transport costs further limit opportunities, particularly for island communities. Overall, the cost of living tends to be higher, while access to earned income is more limited – a combination which seems destined to lead towards poverty.

Unemployment is a problem in both rural and urban areas. Among the latter, Glasgow stands out. Although only 12 per cent of Scotland's population live there, Glasgow has nearly a quarter of Scotland's unemployed. Based on receipt of income support or housing benefit, around a half of the population of Glasgow city is estimated to be living on a low income, compared with a third in Scotland as a whole (Scottish Affairs Committee, 2000). Unsurprisingly, given that problems tend to be linked, Glasgow also has more than its fair share of poor housing and poor health.

Scotland's cold damp climate increases the likelihood of 'fuel poverty'. An estimated 750,000 households in Scotland are unable to afford adequate warmth and one in four

houses are damp (Scottish Affairs Committee, 2000). Houses that are cold and damp require more heating, and therefore create greater expense on fuel. This results in more cases of hypothermia in Scotland than in England and Wales, as well as asthma and respiratory disease (SPIU, 1999).

Sometimes it is hard to disentangle the causes of poverty from its effects. For example, ill-health may be provoked by poverty, or be a cause of it. Poor people in Scotland are up to three times more likely to die prematurely than those living in more affluent areas in the UK and life expectancy in Scotland is three to four years lower (Scottish Affairs Committee, 2000). People may become homeless when they lose work or, because they are homeless, may be unable to find work. Homelessness has continuously increased in Scotland since legislation was introduced in 1977 – between 8,000 and 10,000 Scots per year are estimated to spend at least one night per year sleeping rough (SPIU, 1999). Poverty can be a vicious circle, spiralling downwards. Poverty itself can bring extra costs, as people who are unable to afford decent housing need to pay more to keep their homes warm. People who cannot afford transport cannot shop around for bargains. They may not be able to get to out-of-town supermarkets, but have to shop locally, which is often more expensive.

People at risk of poverty and inequality

It follows that there are two main factors which make people at risk of poverty. First, some have limited access to paid work, for reasons such as age, childcare responsibilities or discrimination. Second, in many cases the same people also incur extra costs, perhaps to meet the needs of their children or because of a disability. In other words, they need more income if they are to have the same standard of living as others, but in reality they have less opportunity to earn it.

Along with changes in the labour market, changes in the make-up of the population have increased the risk of poverty for some. There are more elderly people and lone parents. Women are over-represented in both these groups. Although more women are now in work, they earn less then men and are more likely to carry the main childcare responsibility. Low wages combined with childcare costs pose particular problems for lone parents. However, while two-thirds of lone parents are living in poverty, more two parent families are poor. This is because there are more two parent families than lone parent families. Around 29 per cent of pensioners in Scotland have incomes below the UK average (Scottish Affairs Commitee, 2000). Since the early 1980s, pensions have increased annually in line with prices rather than average earnings. This has been a major factor in increasing inequality, as the gap between average earnings and pensions widens and pensioners get left further and further behind.

Discrimination takes different forms and is closely associated with poverty. People from minority ethnic communities and disabled people confront a range of barriers which have their roots in the (not always explicit or even conscious) attitudes of the white, non-disabled majority and their institutions. In addition, for disabled people the way in which buildings and transport are designed can physically prevent their participation. People are often disabled by attitudes and an inappropriately designed environment rather than by any physical or mental impairment.

Although some people are at greater risk, it is misleading to think that poverty is only experienced by fixed groups or an 'underclass'. Instead, these 'groups' can often be seen more as life stages or life events affecting just about everyone and anyone. Most people will be more at risk of poverty when they are children, parents looking after children, or retired. With the disappearance of jobs for life and more short-term contract working, unemployment is not just a

problem for the low-skilled and low-paid. And no one can guarantee that they will never be sick or disabled.

What can be done?

Poverty and inequality take many forms – they affect a range of people and have numerous, often closely linked, causes and effects. The interconnections between the responsibilities at different levels of government are also complex. For example:

- The Westminster Parliament has responsibility for social security, employment and economic policy while the Scottish Parliament has responsibility for policy areas such as education, health and housing;
- The Westminster Parliament has responsibility for anti-discrimination legislation covering (among other areas) education, health and housing while the Scottish Parliament has responsibility for promoting equal opportunities in devolved areas of policy;
- Local government also has responsibility in areas such as education and housing.

This suggests that action needs to be taken on a number of fronts, and through partnership working, if poverty and inequality are to be successfully addressed. But this should not just be a partnership of politicians. It is vital that the voice of people in poverty can be heard if their disempowerment is not to be compounded, and policymaking is to be based on reality rather than myth. After all, they know what poverty means, its causes and effects. They know what political action is effective – and what only makes matters worse. Local communities also have valuable expertise to contribute as does the voluntary sector which often finds itself plugging the gaps in state provision.

The New Labour government has concentrated on measures to get people into work rather than on increasing benefit levels, seeing unemployment as the root cause of poverty and social exclusion. It has declared its intention to eradicate child poverty in 20 years. There is evidence of partnership working, such as the joint Scottish and UK ministerial action committees aiming to tackle child and pensioner poverty in Scotland. The Scottish Parliament has established Social Inclusion Partnerships and committed itself to being open, transparent and accessible to the Scottish people.

Overall, there has been a great deal of activity and a large number of initiatives aiming to address poverty, inequality and social exclusion in their various manifestations. It is too early to say what difference these will make to the lives of people in poverty – or rather what difference they will enable poor people to make to their own lives. It remains to be seen what their judgement will be, whether politicians will want to hear it and whether politicians or poor people themselves will be held responsible for success, or carry the blame for failure.

Questions for discussion

1. **What are the best ways of tackling poverty and inequality in Scotland today? To what extent are poverty and inequality compatible with democracy?**
2. **See if you can agree on what goods (food, clothing, electrical goods like washing machines, fridges or televisions) people need to have if they are not to be considered poor. On this basis what should be a minimum income level?**
3. **How can poor people make themselves heard in the political arena? What can others do to make sure they are?**

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Gender and identity

ESTHER BREITENBACH

Scottish identity and political change

The process of political change that has been taking place in Scotland has, as might be expected, fuelled debate about what it means to be Scottish, and about the nature of Scottish society and Scottish identity. Witness the volume of new writing on Scottish history and politics, and the renewed self-confidence of Scottish literature. Cumulatively, this amounts to a reformulation of who we think we are, the story we are telling ourselves about the new Scotland of the twenty-first century. What this story tells us about the role and place of women and men in Scottish society is important. Equally important is whether there is one dominant story, or whether there are a number of strands to the story.

As David McCrone (1998) argues, ethnic identity differences are real insofar as people treat them as such. This is also true of other identity differences. They are social and cultural accounts which people use to make sense of their actions. These accounts are not constructed in a vacuum, but draw on already existing cultural representations – in this case of 'Scottishness', 'maleness' and 'femaleness'.

There is then an ongoing process of constructing meanings which influence and organise our actions and our conceptions of ourselves. By definition this is characteristic of the human condition, but the intensity of such activity may vary over time, and the degree to which meanings are contested may also vary over time. Currently in Scotland there is a period of intense discussion of such meanings, played out across a range of terrains – politics, culture and commerce. There is not the space here to examine all of these (and, indeed, much of the analytical work from a gender perspective remains to be done), but it would not be hard to argue, nor would it be controversial to do so, that masculine images and identities are privileged in constructions of Scottish identity.

Gender inequalities and making women visible

What I want to put forward is the view that a process of change is beginning to take place in which there is a greater understanding of the significance and meaning of gender divisions, both contemporary and historical, within Scottish society, and a greater commitment to social change to remedy the injustice of persistent gender inequalities. This process is for many women all too slow, and, despite recent landmarks such as the level of representation of women in the Scottish Parliament, continues to be an uphill struggle in the face of poor visibility, misrepresentation and misogyny.

I am not concerned here with power relations or the political process itself, or the effects of policies on women. Rather I am concerned with the ways in which women struggle to have their voices heard, and to be seen as legitimate actors in the public sphere. The capacity for women to occupy such public space (whether in politics, at work, or in civic society) is at least partly determined by ideologies of gender roles, which are promulgated in a variety of ways: through social interactions with family and friends, through education, through the mass media, through cultural production in its widest sense – artistic, intellectual and popular. These are precisely the means through which we construct meanings of identity, individual and collective. Through the invocation of cultural traits, we provide identities which legitimise claims to rights. Thus for women, as for other groups who make claims to equality, how they are represented imaginatively is as important as how they are represented politically.

Women's history

A corollary of women's subordinate position in society is their subordination or suppression within narratives of social history. The ideology of feminine domesticity and

passivity has been superimposed on social and historical reality in such a way that it obscures women's agency in creating that reality, in struggling against its constraints and in redefining their roles and place. In Western societies generally the women's movement has now produced a body of feminist scholarship that has challenged previously widely-held beliefs about women's nature and women's social role. This has demonstrated that reality has always been more complex than gender stereotypes would suggest, and in particular that women have actively striven to enlarge the possibilities open to them for economic independence, for public life and for self-realisation – though this has not necessarily been true of all women, nor has this striving always been through organised collective action.

Within this general development of feminist scholarship in Western societies, Scotland has often seemed to lag behind. As a consequence, while there is much energetic rewriting of Scottish history going on – not unconnected to the political change and growing confidence inspired by more control over our own affairs – much of this work remains gender-blind, or at best makes tokenistic references to women. True, there is a slowly growing literature on women's history in Scotland, but too many 'mainstream' histories remain 'malestream' histories. Research on women remains underfunded, not just in the field of history. There are too few people working on women's issues or gender studies to develop quickly a body of knowledge sufficient to the needs of a society which likes to think of itself as egalitarian.

Women's writing

What we learn from history, if we look hard enough in the right places, is that women have actively shaped their lives and circumstances, and have resisted and challenged oppression and subordination, even if many have not authored their own accounts. Women's authorship as writers bears more direct witness to the ways in which they have reflected on the meanings of their lives, and have in the process of creating fiction also created identities that expand beyond the confines of ideology. Within Scottish literature women's visibility has also been restricted, with the work of earlier women writers disappearing and requiring to be rediscovered and reclaimed. As Carol Anderson and Aileen Christianson (2000) show, the work of twentieth century Scottish women writers has consistently demonstrated a concern with both Scottish and female identity and its exploration. The variety of experience which they write about, and the strong regional identity frequently present in their work, again illustrate the complexity of any definition of identity. Most of these writers expressed criticism of the society in which they lived; some were explicitly feminist, while others less directly critiqued 'the cramped and thwarted lives of women' through their fiction. They questioned conventions and stereotypes, and imagined possibilities beyond the boundaries of the roles defined for them. It is a sign of social change, and of the shift in construction of and contention over identities, that contemporary Scottish women writers such as Janice Galloway and A L Kennedy can write with a confidence in their rights, in the possibilities for change, and from an assumption that being a Scottish woman has a positive cultural value. Their writing is part of a process of reshaping the narrative of 'identity' in Scotland.

Media representations of women

Media representations are also significant as constructions of meaning, pervasive in everyday life and wider in their reach than history or literature. This is an area of Scottish life which seems even less commented upon or scrutinised than women's history, or women's creative writing. And yet it is palpably the case that many media representations of women trivialise, sexualise

and sensationalise. There is little serious comment or analysis in the mass media on issues of concern to many women in Scotland, from their status at work, to childcare or violence against women. Women politicians have been written about in terms both sexist and misogynist, and serious speeches and debates in the Scottish Parliament on 'women's issues' have gone unreported. Such concerns are dismissed as 'dull and worthy'. Journalists are too ready to seize with glee on any disagreement that they can inflate into 'bullying' and 'bitching' in order to incorporate women into their vision of politics as playground anarchy. This is at once a disservice to the identities of Scottish women and to democracy. Democracy benefits from well informed debate: it is diminished and demeaned by misinformation, misrepresentation and misogyny.

The nature of identity

There are many wide-ranging and complex debates about the concept of identity. In recent years, post-modernism has unpicked and unravelled what might be called 'common sense' notions of identity, which imply stability and permanence, an essential identity that remains unchanging. Post-modernist debates have emphasised the fluidity and many-layered character of what we call 'identity'. By challenging in this way commonly held conceptions of identity, post-modernism has presented political movements such as the women's movement with a conundrum: if there is no such thing as a stable identity as 'woman', how can there be a movement premised on the notion of that identity, and which assumes the possibility of a common interest and a solidarity based on that identity? The same challenge is, of course, posed to any notion of Scottish identity, and what it means to individuals to declare that their primary identity is as a Scot. Hence the concept of a unitary national identity is problematic.

These debates suggest that identity is not a fixed immutable essence that can be revealed as the core or kernel of our selves, that identity is multi-layered and multi-faceted, and different aspects of our identity may have more significance for us at particular times, or will come to the fore in the context of particular social interactions. Indeed, different facets of identities may produce conflicts for individuals in terms of solidaristic relations within different social groups, whether these be defined by class, gender, ethnicity, and so on. In this sense, then, identities can be said to be continually created and re-created within given social contexts. Because of this multi-faceted nature of identity, broad group identities such as 'women', 'black people' or 'disabled people', while they may hold together strongly enough to facilitate various sorts of alliances and collective action, do not reflect homogenous groups. This heterogeneity may result in political fragmentation, and yet there is a common political interest in itself in gaining greater recognition for it.

Claiming identities, claiming rights

It is consistent with the view that cultural traits are invoked to provide identities which legitimise claims to rights, that women (and other groups) are claiming the right to be written into history, and to be visible in a range of cultural representations in varied and complex ways, in other words to challenge both the invisibility of absence and the distorted visibility of stereotyping. This is therefore a dialectical and a contested process in which there is claim and counter-claim. History, literature and the media are all arenas (and there are others) in which women are contesting widely-held views of what it means to be Scottish and what it means to be women, and in which they are arguing for the right to have their multi-faceted and diverse identities recognised.

Despite its created or imagined nature,

we cannot easily dispense with the language of national identity, given that it is common currency in Scotland. There is not necessarily a unitary discourse of national identity, but it can be argued that there is a dominant discourse which privileges the male. This is seen not only in the imagery of the 'heroes' of the wars of independence or Red Clydeside, but also in the prevalence of images of hard men or working-class heroes in fiction and television drama, for instance, or in the popularity and power of football as a symbol of national unity – albeit often in defeat. This dominance is being challenged by women's imagining of their identities, a process that is not only of intellectual or cultural significance, but which is also of political import. My argument is that a more democratic Scotland requires a far richer understanding of Scottish identity than we have had hitherto: one in which women are fully visible and are accorded full humanity, with all the complexity and variety that this implies.

Questions for discussion

1. **Why do you think that 'masculine images and identities are privileged in constructions of Scottish identity'? What examples of this occur to you?**
2. **To what extent does solidarity depend on a recognition of and respect for difference? What are the political implications of 'solidarity in difference'?**
3. **What can we learn from women's struggle for recognition and equality to enhance the quality of democratic life in Scotland today?**

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Race relations in Scotland

ROWENA ARSHAD

'Nae problem here'?

Prior to devolution, it would be accurate to say that racial equality had a fairly low profile in Scotland except in some local authorities with more visible concentrations of minority ethnic people. The population of minority ethnic groups in Scotland is small compared with elsewhere in the UK – compared to a figure of 5.5 per cent for the UK as a whole, minority ethnic people account for 1.6 per cent of the Scottish population (Labour Force Survey, 1999). Perhaps as a consequence of these relatively low numbers, many individual Scots, communities and institutions do not appear to view racial equality as a priority, concluding that racism is not a Scottish problem.

It is sometimes argued that what is often characterised as the Scottish psyche may also play a part in influencing the nature and quality of racial equality work in Scotland. In an important study, David McCrone asserts that the myth of Scottish egalitarianism has 'at root an asociological, an almost mystical element. It is as if Scots are judged to be egalitarian by dint of racial characteristics, of deep social values' (1992). He suggests this has led to particular forms of Scottish vernacular which assume a common humanity: for example 'we're a'Jock Tamson's bairns', 'A man's a man for a'that' or 'the lad o'pairts' described by John Knox in his *Book of Discipline* of 1560. Against this backdrop, any suggestion that Scotland, its people and its institutions might be institutionally racist or discriminatory runs a risk of incurring defensiveness if not disdain.

The reality of racism in Scotland today

In the last few years, Scotland's egalitarian, meritocratic and democratic self-image has been publicly dented. First, James MacMillan, one of Scotland's foremost young composers, in his now infamous speech at the 1999 Edinburgh International Festival, challenged Scotland to confront sectarianism and, in particular, anti-Catholic bigotry. Second, Scotland's homophobia came out of the closet during fierce debates about the repeal of Section A of the Local Government Act (1986) which instructed local authorities not to 'promote homosexuality'. In terms of race relations, the racist attack and killing of a young Kurdish asylum seeker in the summer of 2001 catapulted the meaning of 'street racism' into the forefront of Scottish consciousness. It transpired that the murder of this young man was not merely an isolated incident. Since the arrival of asylum seekers in Sighthill, an area of multiple deprivation in Glasgow, there had been significant levels of racial abuse, racial attacks and communal tensions – some to do with 'race', but others to do with high levels of poverty and inequality. At the time, a senior Scottish politician, George Galloway, warned that all this should 'have been a wake-up call about race hate, but most turned over and went back to sleep' – except for extreme right-wing groups who sought to capitalise on the situation to whip up further hatred.

What happened in Sighthill exposed what many minority ethnic people living in Scotland had known for a long time – the reality of racist violence. A UK-wide study, funded by the Joseph Rowntree Foundation, on experience of racist victimisation, which included Glasgow, found that people generally only reported such harassment when it had become intolerable. One black interviewee summed up her experience like this: 'As far as casual, unprovoked verbal racism is concerned, we just take it as part of living in Glasgow.'

Scottish police forces recorded 2,424 racist incidents in Scotland in 1999/2000, a substantial increase on the 1,271 cases reported in the previous year. The most recent statistics from one police force in Scotland record an increase of 140.9 per cent in racial harassment incidents. These figures can, in part, be attributed to more

rigorous reporting methods introduced in 1999, but they also demonstrate the extent to which racism is occurring on a daily basis for Scotland's minority ethnic communities.

Perhaps the most significant effect of the events at Sighthill was that any complacency within Scottish political and policy-making communities about race relations was severely dented. Scotland had to take racism seriously – to be prepared to challenge Westminster on its treatment of asylum-seekers, including the voucher scheme and forced dispersals. This has become even more urgent following the attacks in New York and Washington on September 11th and the danger that responsibility for them becomes generalised in the public imagination to all Muslims. This has led to increased levels of racist activity in Scottish cities and many Scottish Asians, in particular, feel stigmatised and vulnerable because of how they look, how they talk and the faith group they belong to, whether Muslim or not. What recent events show is that tolerance and acceptance of diversity can be found to be very fragile when tested.

Institutional change

A combination of events, particularly the establishment of the Scottish Parliament and the Macpherson Report (1999) have contributed to a shift in political thinking and a stronger commitment towards equality issues, and particularly racial equality. If the death of a young asylum seeker brought the issue of race into the consciousness of the Scottish public, then the Macpherson report brought the matter of racism onto the political and policy agenda.

Stephen Lawrence was a young black student murdered on 22 April 1993 in London. To date, no-one has been convicted of his murder, but pressure from his parents for truth and justice led to a public inquiry, chaired by Sir William Macpherson. The Macpherson Report, published amidst a blaze of publicity, placed institutional racism firmly on the public agenda. For the first time in the history of race relations in Britain (and Scotland), institutional rather than individual racism became the focus of attention. The Report defined institutional racism as:

> ...the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people.

The effect of the Macpherson Report in Scotland was to challenge policy-makers to react to institutional racism with some urgency. The Scottish Executive responded by publishing *The Stephen Lawrence Inquiry: An Action Plan for Scotland* and creating two Scotland-wide groups to take forward its recommendations. The first, chaired by the Deputy First Minister and Minister for Justice, would concentrate on the criminal justice system and its agencies in Scotland. The second, the Race Equality Advisory Forum (REAF), led by the Minister for Social Justice, would advise the Executive on the preparation of a race equality strategy for policy areas including housing, local government and education.

At the same time, the civil service in Scotland, a predictably conservative institution, was also beginning to modernise. The *Modernising Government White Paper*, published by Whitehall a month after the Macpherson Report, stated that government procedures had to change to accommodate diversity. Scotland's civil service, and indeed the wider policy-making community in Scotland, had no choice but to begin to change. Scotland's politicians continued with the process of change by adopting a policy of mainstreaming. Mainstreaming is

an approach which makes sure that equality issues are treated as part of the everyday work of government. This is done by equality proofing, which means ensuring that all policy formulation and implementation takes full account of the needs of different groups and considers the possible impact of policies on these groups.

It is significant that key words such as 'social justice','equality', 'women' and 'racial equality' produce thousands of results on the Scottish Parliament and Scottish Executive websites. This compares with pre-devolution, when words like 'race' or 'racism' would produce between three and 10 results on the then Scottish Office website. What this indicates is that data on ethnicity, so long lacking in Scotland, is now increasingly available. For example 'ethnicity', as a category, is now being mainstreamed into statistical and data-collecting frameworks.

While there is no doubt that the status of race equality has changed since devolution, nevertheless change has been painfully slow. There has been improved consultation with minority ethnic communities and there is now a willingness to talk the language of anti-racism and not just multiculturalism. For example, Her Majesty's Inspectors of Education announced recently that there will be an inspection into race equality in Scottish schools in 2002, with a report due in 2003. Education practitioners have lobbied for over a quarter of a century for this form of structural change. However, change is not uniform and there remain government departments who cannot see the relevance of race issues, or who actively discourage the race equality agenda.

Changing public opinion

Arguably, one of the flaws of the Macpherson Report was an over-emphasis on the structural aspects of racism and the under-emphasis on the role of individuals in its production. Blocks and barriers are perpetuated by the attitudes of people. Institutional racism is maintained through the everyday actions of individuals. It is important to engage with the mindset of individuals, for it is this mindset that will set the tone for public and institutional opinion. It is therefore important to address the issue of silent racism – the routine actions and thoughts that go unquestioned by members of dominant groups which in some way discriminate against members of a racial or ethnic category.

Racism is not simply something that happens when individuals fear difference. It is not just caused by poverty, nor will it disappear if poverty is eradicated. In places like Sighthill, where jobs are scarce and the physical quality of life well below the national average, overt racism can emerge as a way of hitting out at someone else. Racism will continue regardless of economic conditions until it is explicitly addressed by individuals and the wider society.

Racism occurs when one group thinks itself superior to another because of ethnicity, colour or race. Blumer (1958) identified four components of such racism:

- Members of the dominant group see themselves as superior to members of the subordinate group;
- Members of the dominant group see members of the subordinate group as inherently different from themselves;
- Members of the dominant group sense an advantage over members of the subordinate group;
- Members of the dominant group are fearful and suspicious of members of the subordinate group whom they think want to take away their advantage.

(Source: *Pacific Sociological Review*)

This is a useful framework for thinking about the state of race relations in the Scottish context. Sentiments such as 'we treat everyone the same' or 'we have no ethnic minorities here, so we don't have a problem' need to be deconstructed and located if inequality is to be addressed.

The future

Devolution has given the UK a plurality of power bases and, by extension, a wider range of modes of expression. Scotland can now begin to imagine a new relationship between political representation and participation. It is developing its internal capacity to contain cultural anxiety and to promote diversity and equality. It can do so by accepting that equality and diversity are preconditions for any real process of democratic renewal. Wider issues that arise in the field of race relations also need to be considered. These include inter- and intra-ethnic tensions and the dilemmas that are likely to arise when policies which support individual human rights contradict policies supporting the advancement of multi-culturalism. Finally, any progress on race relations matters in Scotland must grapple with the impact of multiple discrimination. Single issue approaches will inevitably fail as life becomes more complex and diverse.

Questions for discussion

1. **Think of a particular example of institutional racism. How does it work? How could it be challenged?**
2. **How useful are the following terms in promoting good race relations: tolerance, multiculturalism, valuing diversity?**
3. **In your own experience, what evidence is there of Blumer's four components of racism in Scotland today?**

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Work, employment and unemployment in Scotland

ADRIAN SINFIELD

Young people today are entering a labour force very different from the one which their parents entered a generation ago. In the mid-1970s, unemployment doubled under the Labour government after more than two decades of much lower unemployment. After a fall, it more than doubled again in the early 1980s under the Conservatives, hitting Scotland more severely than the rest of Britain. It remained high, averaging 13 per cent over the decade, and long-term unemployment increased substantially. The marked fall in measured unemployment from 1987 onwards was starting to bring the long-term jobless rate down as well until a third substantial rise in the early 1990s brought the problem heading back to the levels of a decade before. It was only in 1993 that the total out of work started to fall, and they continued to do so until the second half of 2001. At the end of that year some four per cent of the Scottish labour force were still out of work.

There is perhaps a general tendency to see the changes of our own age as greater and more permanent than those of the past, but the impact on people's lives of these three recessions in as many decades has been substantial. School leavers in the 1970s and the years afterwards had great difficulty in getting settled into regular work, and many of that generation are still having to make do with poor, insecure jobs. Many other workers who lost their jobs in one recession found themselves out of work in the next, and the one after that, because they had not been able to establish themselves securely before unemployment rose again. Older workers were often forced into early retirement with limited and inadequate pensions which failed to protect them from poverty.

Structural change

These upheavals in the labour market have been the result of a combination of factors including inter-related changes in international economic demand, technological development and government policies. The resultant changes in the industrial structure of Scotland have been significant. Only 20 years ago there were more than half as many jobs in manufacturing as in the service sector, but now the proportion has fallen well below one third. The future of manufacturing continues to be uncertain – this time as the strength of sterling has made Scottish products less competitive both as exports and against cheaper imports into the country.

The greatest growth in services has been in banking and finance, and in education and health. Call centres have been replacing the mail-order warehouses that took over the mills of the first industrial revolution. Within the small primary sector, the fall in work in agriculture, forestry and fishing in the 1980s has been at least partly reversed, but the employment drop in electricity and water supply has remained. Jobs in tourism and leisure have grown, although many involve people – indeed, whole families – doubling up with their work in agriculture and fishing. The result is often heavy over-employment during the tourist and harvest seasons, with under-employment and much reduced incomes over other parts of the year.

With all the many changes, there has been increasing discussion of the adequacy of official statistics to capture them. There are now two measures of unemployment published monthly. The traditional one of claimant unemployment, used above to provide some consistency over time, comes from the administrative count of benefit claimants – indicating some four per cent out of work at the end of 2001. The new measure is derived from the Labour Force Survey and includes those out of work who have actively sought work within the past four weeks and are available to start work within a fortnight: this shows nearly seven per cent unemployment. This is a better indicator of people wanting work,

particularly of the many women who may not be eligible for benefit if a partner is in work or already claiming benefit. However, it does not include people who have not looked for work recently or those who have had as little as one hour's paid work in the last week.

Both measures show that Scottish unemployment remains above the average for the whole of the United Kingdom, although the structural changes may be reducing the extent of the gap. The Labour Force Surveys show that, until last year, economic inactivity increased considerably, especially among men. Another change has been the growth in self-employment in the last decades, but this has been slower in Scotland than across Britain generally. By the end of the twentieth century, there were some two million people in employment and a quarter of a million in self-employed work.

Geographical impact

The scale of these changes has been very different across Scotland, reflecting the concentration of the lost and new jobs in different parts of the country. The decline of heavy engineering and the virtual disappearance of coal mining and ship building visibly hit traditional working-class communities, for example, along the Clyde – with Glasgow massively affected by the loss of manufacturing jobs – and in Dundee and the central lowlands. By contrast, the growth of the electronics industry and the expansion in many parts of the service sector brought more jobs to 'Silicon Glen', especially the 'new towns' of Livingston, Glenrothes and East Kilbride, so these areas, in their turn, become vulnerable to the insecurities in the 'dotcom' and service industries.

North and East Ayrshire, West Dunbartonshire, the cities of Glasgow and Dundee and the Westerm Isles are the areas bearing the worst unemployment. However, the geographical differences are only partly reflected in these statistics. Within areas there can be marked differences. While the City of Edinburgh has an official rate of unemployment below three per cent and still falling, the rates of unemployment and long-term joblessness vary significantly – from double figures in the three areas of Muirhouse, North Hailes and South Hailes to one per cent or less in another 13 areas, reflecting the very different risks to job insecurity of different occupations. While the West Lothian economy, on average, has been transformed over the last decade, even Livingston has one council ward with 13 per cent male unemployment.

Women

One major change which will continue to affect not only the development of the Scottish labour force but also our way of life, is the growth in women's labour force participation, with as many women as men in employment. Not only are mothers returning to paid work once children start school or playgroup, but far fewer women are dropping out to have and bring up children. This reflects both a fall in the birth rate and the increasing tendency of a smaller number of mothers to return to work as soon as their maternity leave has finished.

This has resulted in a long-continuing increase of women in part-time jobs, while the number of women in full-time work has changed little over many years. Nearly half of women's jobs are part-time. This partly reflects the lack of childcare provision, partly the changing demands of employers for part-time staff to keep shops and supermarkets open longer: this trend is, at least in part, a response to women's greater employment. Women are more likely than men to be working in the service industries and they tend to be concentrated in the lower-paid jobs.

Age

The changing age structure of the labour force has received less attention, but this too has many implications, socially and

economically. While public debate has focused on, and generally exaggerated, the growing numbers of retired people, the population as a whole is ageing. Workers in their forties and fifties are now the fastest increasing group and the numbers of those in their late teens and twenties are falling. Women are staying longer in the labour force but men, particularly those with the least skills, have been leaving it at a faster rate. While the long fall in unemployment began to halt this trend, that fall has now ended. The causes of the increased inactivity are disputed but probably include a mix of: age discrimination; employer demand for younger, better trained and educated workers; higher benefits, less harrassment and stigma for those accepted as sick and disabled rather than unemployed; and the long-term effect of three successive recessions on those with poor or obsolete skills.

Minorities

Standard surveys reveal little about the experience of smaller groups in Scotland. Ethnic minorities, for example, make up less than 2 per cent of the labour force, but case studies indicate that they are more vulnerable to problems of discrimination, affecting both access to jobs and the quality of jobs. While they share poorer chances in both employment and earnings than the 'white' majority, there is considerable variety in this experience among the different ethnic groups; those born outside the country tend to be more disadvantaged than the native-born. Disabled people also suffer particular handicaps in work and employment with a much greater vulnerability to prolonged unemployment.

The challenge of poverty and inequality

By April 2000, average earnings for adult men and women in Scotland were £380 for a full week. This was eight per cent less than the British average, but the gap has narrowed somewhat in recent decades. These averages are derived from wide differences which have been increasing throughout Britain. Men still earn over one-third more than women, although women have been catching up. Although the gap reflects industrial and occupational differences, the gender difference persists across all the main occupations. Men in full-time, non-manual jobs in the financial services were earning £522 a week while women in full-time manual work in hotels and restaurants only received £165 a week. The highest pay was in Aberdeen, Edinburgh and Glasgow whilst the lowest for men was in Perth and Kinross and in Dumfries and Galloway, and for women in the Borders and Fife.

Low pay has long been a severe problem in Scotland, especially among women who are less likely to experience it as a transitory phase at the beginning or end of their working careers. In April 2000, one in 13 men in full-time work and working a full week earned less than £200 a week, and as many as one in five women – a greater proportion than in Britain as a whole. Women in part-time work were even more likely to be trapped in poverty-level wages. The introduction of the National Minimum Wage has lifted many of the lowest-paid over 21 years old, and there are indications that many employers are paying the full adult rate to those over 18. However, the lowest wages are still too low to enable people to participate fully in society.

Official figures understate the number of people in low-paid work and give little sense of the astonishingly high earnings of a few (but a growing few) and the value of the extra benefits and services that more of the better-off receive in work. They do, however, reveal very clearly that inequalities in earnings have widened more in recent decades than at any other time in over a century and chances to move up out of poorer-paid work may also be reducing.

The growth in earnings inequality has been common to many countries, reflecting

at least in part the demand for highly educated and skilled workers. Unlike many other countries, however, this has been accompanied by many changes to the tax and benefit systems which have reduced their redistributional impact. The result has been a sharp rise in both poverty and income inequalities. These have enormous consequences for any democratic system, reducing the opportunities for social inclusion and increasing inequalities in both the quality and quantity of life across all groups and classes. While the devastating impact of mass unemployment has been reduced, major challenges remain to establishing a socially just and participatory democracy in Scotland in view of persistent poverty and wide inequalities.

Questions for discussion

1. **What changes in patterns of employment do you expect will have the greatest impact on people's lives in the next decades?**
2. **Do you think people should have a democratic 'right to work'?**
3. **How far do you think that labour market and other inequalities should be reduced, and how might this be achieved? For instance, there is a minimum wage; should there be a maximum wage?**

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Land ownership and land reform

ANDY WIGHTMAN

Introduction

Land tenure is the system whereby individuals and others acquire and possess rights to use and occupy land. Its origins lie in the introduction of feudalism to Scotland in the eleventh and twelfth centuries when the Scottish Crown assumed ownership of the entire country and granted political authority over land to the nobility in return for financial and military obligations. Over the centuries, this authority evolved into the system of land ownership we have today. This involved the spread of Crown charters, the loss of most of the lands of the church and the appropriation of millions of acres of 'commonties' (a widespread form of common property in Scotland over which common rights of use prevailed) by private land owners.

As a system, land tenure confers legal rights on individual citizens. These rights represent a form of power over land. The nature of that power (what the rights consist of), who controls it (the nature and character of the owners), how it is distributed (the pattern of land ownership) and how it is exercised (decisions about how land is used) determines the particular characteristics of land ownership and use in Scotland today.

Land ownership in Scotland

Due to legal complexity and political sensitivity, there is limited knowledge about the nature, character and patterns of land ownership in Scotland. The last comprehensive survey of who owns Scotland, for example, was conducted in 1872-73 and during the entire twentieth century no official survey or record has been published. In recent years, however, there has been a heightened awareness of the issue and a number of important studies dealing with the subject have appeared. In addition, the establishment of the Scottish Parliament and the development of a mainstream political agenda on land reform have helped to stimulate more debate, information and analysis.

Land ownership in Scotland is characterised by:

- an extremely concentrated pattern of private ownership;
- diversity in the types of land holding and the nature and character of land owners;
- a long and complex history;
- controversy and political sensitivity.

Who owns Scotland?

The bald statistics of land ownership are as follows:

- Scotland covers a total area of 19,068,631 acres. Of this, 585,627 acres are urban (three per cent) and 18,483,004 acres (97 per cent) are rural. Of the rural land, 2,275,768 acres are publicly owned and 16,207,236 acres are privately owned.
- Of the privately-owned rural land, a quarter belongs to 66 land owners in estates of 30,700 acres or larger, a third to 120 land owners in estates of 21,000 acres or larger, and a half to 343 land owners in estates of 7,500 acres or larger. Two-thirds of Scotland is owned by 1,252 land owners in estates of 1,200 acres or larger.
- Land is held in various types of land holding. These include landed estates, sporting estates, crofting estates, owner-occupied farms, private forestry and conservation and community-owned holdings. It is also held by different kinds of owners including the state, the aristocracy, investment companies, working farmers, conservation bodies, community and crofting trusts, overseas individuals and offshore companies and trusts.

Does it matter who owns Scotland?

Land ownership is a controversial topic because the way land is owned and the characteristics of those who own it have a

profound influence on the way it is used and on social and economic development. As Bryan has argued:

> The impact of the land tenure system goes far beyond land use. It influences the size and distribution of an area's population; the labour skills and the entrepreneurial experiences of the population; access to employment and thus migration; access to housing and access to land to build new houses; the social structure; and the distribution of power and influence. In many areas of rural Scotland, large landowners play a crucial role in local development: they are the rural planners.
>
> (MacGregor, 1993)

In recent years, the focus of controversy has typically been around issues such as:

- restrictions on public access to the countryside;
- the power of land owners to make decisions about land use and occupancy, and the conflicts to which this gives rise;
- uncertainty arising from the unregulated sale of heritage land (Cairngorm/Cuillin) and land with strong community interests (Eigg/Knoydart);
- inappropriate use of land and environmental damage;
- conflict arising from the distribution of public grants and subsidies;
- abuse of the feudal tenure system.

Whilst such controversy is not universal, it has occurred on a regular enough basis for politicians to take note and respond. Underlying much of this controversy is the fact that the land market in Scotland is very liberal, imposing minimal restrictions on who can own land and how much they can own. This is in contrast to much of the rest of western Europe where land reform was achieved centuries ago (mainly in the form of the abolition of feudalism and providing inheritance rights to children) and where certain constraints on how land can be owned and transferred persist today.

As a consequence of this freedom, land in many parts of Scotland, particularly in the Highlands and Islands, has undergone frequent changes of ownership. This has resulted in attendant uncertainty and conern about the future among local people as well as national conservation and recreational organisations.

Other political issues raised have included those of absentee landlords, foreign ownership, the politics of large estates, community ownership, the ownership of heritage land, access rights and the availability of housing. Such controversy arises both from the nature of the system by which land is owned and the individual character and actions of particular land owners. Indeed, the *action of individuals* has, over the years, helped to focus attention on the *system*. As a consequence, land reform has emerged as a topic on the current Scottish political agenda.

Land reform: the context

Politically, land reform is controversial since it involves, to a greater or lesser extent, interfering with private property rights. Land reform, as traditionally defined, involves the modernisation of land law, the redistribution of land and the provision of a support system for new land holders. It is a process which is traditionally associated with countries where the bulk of the population is still engaged in agriculture (principally in Latin America, south-east Asia and Africa). In a European context, land reform is associated with the eighteenth, nineteenth and twentieth centuries when most countries abolished feudalism, reformed inheritance laws, redistributed land and abolished agricultural tenancies. Currently in Europe, land reform is mainly associated with 'countries in transition' in central and eastern Europe where state planning and state/collective ownership of land is now giving way to private ownership.

The reason Scotland is so far behind in this process is to do with the early establishment of parliamentary government in the UK and the strong central state that emerged from a political process which was heavily under the control of land owners who were, in effect, its legislators. Sir John Sinclair, the agricultural improver and author of the first Statistical Account of Scotland, observed in 1814 that: 'In no country in Europe are the rights of proprietors so well defined and so carefully protected'. By the time of the parliamentary reform acts and of women getting the vote, the basic land law and pattern of land ownership were firmly in place and the Scottish economy was no longer dominated by agriculture. Thus, both the motive for land reform and the means of achieving it were lacking, and little happened beyond the legal protection of crofters and farming tenants in the nineteenth century and the introduction of state ownership (Forestry Commission and Board of Agriculture) and regulatory controls in the twentieth century.

In historical terms, therefore, land reform is needed in Scotland today in order to address longstanding issues such as the modernisation of land tenure law, regulation of the private land market, tenants' and access rights, and inheritance laws – issues which were addressed in continental Europe 200 or more years ago.

Land reform: the current process

The case for land reform has long been argued in Scotland. In recent years a number of high profile cases, where large areas of land have been sold in quick succession to people with little knowledge or understanding of land use or community interests, has politicised a generation of Scots for whom the land question is intimately bound up with contemporary attitudes to identity and political change. In addition, some celebrated abuses of the intricacies of the feudal system have reinforced a sense of a medieval and outdated land ownership regime.

The case for more locally-based, diverse and sustainable patterns of land ownership and use has recently been argued with greater urgency by academics and policy-makers chiefly on the grounds of the need to promote rural development. With agriculture in decline, rural economies are having to rely increasingly on new forms of land use and new investment in tourism, forestry, light industry and cultural industries. The pattern of large estates has in some parts of Scotland responded to these challenges, but in others it has been slow to change.

The current process of land reform has been brought about by four related factors:

- the controversies in the 1980s and 1990s over land ownership, particularly in Assynt, Eigg and Knoydart;
- the election of the Labour Government in May 1997;
- Labour's commitment to, and delivery of, a devolved Scottish Parliament;
- The Partnership Agreement between Labour and the Liberals (both parties having stood on a platform which included land reform).

The imperative to do something was obvious to Labour, the Scottish National Party and the Liberals who were all attracted to land reform as something that was congruent with their own political histories and values and as part of an appeal to a Scotland disaffected by Conservative rule. The establishment of the Scottish Parliament was a necessary precondition for land reform for three reasons: first, it led to the election of a government which was sympathetic to the topic; second, it provided the time to introduce and consider legislation (time that was always in short supply at Westminster); and third, it created a legislature in which the House of Lords had no role as a revising chamber (their Lordships having had a history of blocking

land reform legislation due to the influence of their many land owning members).

Thus long-standing issues such as the abolition of feudal tenure and the establishment of a legal right of access could at last be dealt with by the Scottish Parliament. In anticipation of this, the then Scottish Office established the Land Reform Policy Group in 1998 which developed, through a process of consultation, a series of recommendations for action on land reform. These were subsequently adopted by the Scottish Executive, and they now form the basis of the legislative programme for the first term of the Scottish Parliament.

Major provisions of this programme include:

- the abolition of feudal tenure
- a community right-to-buy
- a crofting right-to-buy
- a right of responsible public access
- more flexibility in agricultural tenancies
- better information about land ownership.

Beyond the long-standing issues of access and abolition of feudal tenure, what is new in this programme is an attempt to tackle other aspects of land reform such as community ownership of land, agricultural tenancy legislation and public information about land. The programme is ambitious, but must be regarded as only the start of a longer-term process of modernising and updating the way land is owned and used in Scotland. According to land reform campaigners, some of the issues which still need to be tackled include:

- inheritance law reform
- absentee land ownership
- offshore trusts and companies
- the concentrated pattern of private land ownership
- the taxation of land
- the regulation of the land market.

Land reform is concerned with changing the way in which the rights to own and use land are derived, distributed and exercised. In a democratic society, it is essentially about ensuring that the power conferred by such rights is exercised in ways which strike a proper balance between public and private interests, and that this power is distributed in ways which promote social justice, opportunity and equity and is exercised in a responsible, accountable and sustainable manner.

Questions for discussion

1. **Does it matter who owns Scotland? Why?**
2. **What is land reform?**
3. **What should land reform be attempting to achieve?**

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All the John McEwen Lectures are available at www.caledonia.org.uk/land

Scottish Executive documents on land reform are available at www.scotland.gov.uk/landreform/

Information on who owns Scotland is available at www.whoownsscotland.org.uk

Demographic change

LIZ BONDI and MICHAEL GALLAGHER

Patterns of demographic change are the product of many different factors operating over a wide variety of time scales. For example, birth rates in Scotland and elsewhere have fallen in recent decades, gradually changing the age structure of the population. Over a very different time scale, patterns of migration respond quite swiftly to local economic opportunities. These trends, together with other elements of demographic change, combine in particular places to produce complicated patterns of expansion or contraction in particular population groups, with important consequences for the character of communities and their requirements for goods and services.

Demographic trends include elements that may be influenced by Scottish policies, as well as elements to which such policies should respond. It is therefore important that these trends inform discussion of democratic renewal in Scotland today.

In this paper we summarise key aspects of demographic change in Scotland today, focusing especially on trends likely to affect the first two decades of the twenty-first century. We identify issues for discussion, drawing particular attention to the challenges posed by evidence of entrenched inequalities within the Scottish population and by the overall ageing of the population.

Total population change

Scotland's population has fluctuated around five million since the end of the Second World War, while the overall UK population has increased steadily. Since 1981, both birth rates and death rates have declined slightly while out-migration has been slightly greater than in-migration. As a result Scotland's population declined by 1.1 per cent between 1981 and 1996, in contrast to the UK as a whole for which population increased by 4.3 per cent over the same period. Meanwhile, average household size in Scotland has decreased substantially as a result of a decline in the number of households with children and an increase in lone person households, including both lone pensioners and adults below pensionable age. Consequently the number of households in Scotland increased by 15 per cent between 1981 and 1996. The latest projections available (based on 1996 data) show these broad patterns persisting through the first two decades of the twenty-first century. Levels of migration, however, remain a major source of uncertainty. These are strongly influenced by economic conditions both within Scotland and in relation to other regions with which Scotland might be compared by potential in-migrants and out-migrants.

In common with many other advanced economies, Scotland's population is ageing, with significant changes expected to unfold over the next two decades, including the following:

- by 2021 the number of children aged under fifteen is projected to fall to 83 per cent of its 1996 level;
- by 2021 the number of people over pensionable age is expected to rise by seven per cent to 0.9 million;
- by 2021 the number of people aged over seventy-five is projected to increase by 27 per cent compared to its 1996 level.

These changes will increase the proportion of the population that are economically dependent and reduce the proportion that are economically active. In other words, Scotland's 'dependency ratio' will increase.

Population distribution

The population density of Scotland is markedly lower than in other parts of the UK (0.65 persons per hectare, compared with 3.61 in England, 1.36 in Wales and 1.11 in Northern Ireland). However, Scotland's population is very unevenly distributed, with large concentrations in the City of Edinburgh (just under half a million) and Glasgow City (approximately 600,000) and three-quarters of the total in the Central

Belt stretching from Dundee in the east to Inverclyde in the west.

Another way in which the distribution of the population varies geographically is in terms of ethnicity. Overall, Scotland's ethnic minority population is relatively small at 1.3 per cent of the total, compared with 6.2 per cent in England. It is concentrated in urban population centres, primarily in Glasgow (3.3 per cent) and Edinburgh (2.4 per cent).

While the most dramatic redistribution of Scotland's population occurred during the rapid urban growth of the nineteenth century, some important geographical shifts are also evident today. In particular, while both Dundee and the Glasgow conurbation have experienced population decline during much of the post-war period, Edinburgh and Aberdeen, together with their surrounding hinterlands, have grown. These trends are closely related to the decline of traditional industries in the old industrial heartlands and the expansion of new service sector industries, and current projections suggest that they will continue during the first decade of the twenty-first century.

Significant shifts are also evident at a finer, intra-urban scale with all cities of Scotland experiencing population decentralisation, that is a redistribution of urban populations away from central and inner urban areas ('urban cores'), towards suburban areas and areas lying beyond city boundaries. While this pattern is largely the result of net out-migration from the urban cores, it is not necessarily accompanied by a reduction in the number of households in these areas, but, rather, by a marked shift towards smaller (especially one-person) households.

'Decentralisation' is rather too general a term to capture the highly localised patterns of growth and decline seen in Edinburgh and Glasgow in recent decades. Between 1981 and 1991, some localities in Edinburgh and Glasgow lost between a quarter and a third of their populations. These were all large public sector housing estates, such as Castlemilk in Glasgow and Wester Hailes in Edinburgh. At the same time, urban neighbourhoods dominated by sought-after owner-occupied housing experienced population growth. In the hinterlands, new employment opportunities brought population growth to a number of localities, for example in Livingston, West Lothian.

Compared with the UK as a whole, unemployment rates in Scotland are relatively high but have been declining since the late 1980s. As well as being geographically uneven, employment and unemployment are unevenly distributed between households, with a growing divide becoming evident between 'work-rich' and 'work-poor' households. The former contain more than one adult in work and often include people with more than one job, whereas the latter have no adults in employment. This trend is linked to changes in the nature of work the key elements of which are an increase in part-time workers and a decline in full-time workers. Women predominate among the former, men among the latter, so that as these changes have taken place women have become an increasing proportion of the total workforce.

A result of the uneven distribution of paid work is the existence of substantial economic inequalities. In addition to inequalities between households, there are significant inequalities between neighbourhoods. The most affluent neighbourhoods in Scotland are located in residential areas around the cities of Edinburgh and Aberdeen. At the other extreme, the poorest localities in Scotland are public sector housing estates situated towards the periphery of cities, especially Glasgow and Edinburgh. For example, on the Craigmillar estate in Edinburgh, 47 per cent of households are estimated to live below the poverty line, the great majority of which contain no adults in employment. More generally, the net household incomes of homeowners is nearly two and a half times that of council renters. The

association between tenure and income is not straightforward, however: some remote rural areas in the Northwest Highlands and Islands are characterised by very low incomes together with a mix of tenure types. Moreover, while some neighbourhoods are relatively homogeneous in terms of incomes of resident households, other neighbourhoods are heterogeneous.

Health and care

The ageing of Scotland's population has significant implications for health and care. Long-term illness and disability are particularly important in the context of renewing democracy, because they often involve members of the population who are particularly dependent upon the state and are likely to suffer significant socially exclusionary effects.

In the Scottish Health Survey (1995), approximately one-third of adults reported that they had a long-standing illness or disability. Not surprisingly the rates increase with age: 22 per cent for adults below the age of 35 and 57 per cent for adults aged between 55 and 64 reporting long-standing illness or disability. The most common conditions reported were musculoskeletal, including arthritis, rheumatism and back pain, which affect sufferers' mobility. Mental health also shows a general deterioration with age, principally because of the incidence of age-related conditions such as dementia, which is estimated to affect about three per cent of the population aged between 65 and 69, but around 20 per cent of those aged 80 or over.

People with long-standing illness and disabilities face difficulties in participating in the workforce and in social and community life. In other words, they are at greater risk of exclusion than those in good health and without disabilities. The risk is compounded by a marked correlation between health disadvantages and other forms of disadvantage including poverty, unemployment and residence in a multiply disadvantaged neighbourhood. For example, 46 per cent of households in public sector housing contain someone with a significant health problem or a disability compared to 16 per cent of those in owner occupation. Also, 61 per cent of households, containing someone with a significant health problem or a disability have a net annual household income of less than £10,000.

As Scotland's population ages, the need for care of various kinds is increasing. For some time now there has been a shift away from providing care in large institutions towards 'care in the community', much of which is provided by the private and voluntary sectors, whether in private households or in small-scale residential accommodation. The Scottish Household Survey (2000) found that 12 per cent of households contain one or more persons who need regular help or care because they are sick, disabled or elderly. The great majority of these needs are met by family members whether living in the same household or not. Some 10 per cent of adults provide regular care for a sick, disabled or elderly person not living with them.

While caring work may be understood to express the existence of social ties within communities, its uneven distribution places significant burdens of care on some who are then less able or available to participate in other spheres of life. Caring work falls particularly heavily on women, especially older women.

Conclusion

The characteristics of Scotland's population are changing. An inclusive democracy requires that the state responds to ensure that all citizens, regardless of age, gender, ethnicity, income, health status and so on are able to participate in the political process and in other aspects of society. That the growing proportion of the population who are old and infirm be included within democracy is particularly important since

they are likely to be more dependent upon the state than younger people. But as we have shown, persistent economic inequalities within Scotland place a disproportionate percentage of the old and infirm at a particular disadvantage. In some localities, the concentration of disadvantage can compound the risk of exclusion. Thus, the challenges associated with demographic change are closely related to issues of inequality and exclusion.

Questions for discussion

1. **How should opportunities and living standards be distributed between the economically active and the economically dependent?**
2. **How should the needs for care be met, in terms of the distribution of both unpaid and paid caring work?**
3. **How can aspirations for the effective social inclusion of all sectors of the population be realised?**

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Homelessness in Scotland

LIZ NICHOLSON

> *Every household in Scotland should be able to live in a decent, secure and affordable home. Too many individuals and communities have had to endure poor housing for too long. They need to see real improvements in their housing circumstances to allow them to face the future with confidence* (Donald Dewar, 1998)

In 1999, when the Scottish Parliament took over responsibility for housing from Westminster, the Scottish Executive published statistics recording the highest ever level of homelessness in Scotland. In the previous year, the second house condition survey had been published. This revealed a housing stock, both public and private, in desperate need of investment. The Parliament was therefore presented with a mammoth task in order to achieve the then First Minister's vision, set out above.

This paper will focus on the extent and nature of the homelessness problem, the steps being taken to prevent and alleviate homelessness and the effectiveness of these measures. Homelessness is the most acute housing problem Scotland faces and represents the most extreme form of social exclusion. Space limitation prohibits a comprehensive critique of Scottish housing policy, but it should be emphasised that homelessness in Scotland will not be resolved until we have a housing system that meets the needs of all sections of society.

Background

In the year 2000, over 40,000 households applied to their local authority as homeless. It is arguable, however, whether this figure represents the real extent of homelessness in Scotland. Many people do not apply to their local authorities for assistance because, under the existing legislation, there is very little local authorities can do. What official statistics do reflect is the dramatic rise in homelessness through the 1980s and 1990s to the current record level. A feature of this increase, from the late 1980s onwards, was a new dimension of homelessness – youth homelessness, and the steady increase in the numbers of people sleeping rough.

There are different reasons given in official statistics for homelessness: relationship breakdown, leaving institutions, eviction and so on. Although these reasons are useful for understanding what factors precipitate homelessness, they do not explain why some people are more vulnerable to homelessness than others. Not surprisingly, the common denominators uniting virtually all homeless people are poverty and unemployment. Social and demographic trends within the context of high levels of unemployment (particularly youth unemployment) together with reductions in, and restrictions upon, social security benefits and a simultaneous decline in public investment in social rented housing also help to explain why the current homelessness crisis has arisen.

Current homelessness provision

When people become homeless, the protection to which they are entitled under the law is limited. Introduced in Scotland in 1978, it was not until 2001 that the existing legislation was revised to respond to the changing environment noted above. When it was originally introduced it provided reasonable protection for families and some vulnerable groups who became 'unintentionally' homeless. But one of its flaws from the onset was that it retained the archaic Poor Law distinctions between 'deserving' and 'undeserving poor' and the assumption that the homeless person was the responsibility of his/her 'parish'. At the same time, it entirely excluded some groups (e.g. single people and childless couples) from any right to housing. Restrictions upon housing benefit and other welfare benefits have intensified problems caused by exclusion from the legislation by limiting access to alternative accommodation in the private rented sector. In practice this has meant that, as the numbers of single homeless

people have increased, they have become particularly vulnerable to rough sleeping.

Problems of mental health and drug and alcohol addiction, that can either be a cause or effect of rough sleeping, highlighted a further weakness in the legislation (and in homelessness policy generally). Homelessness was regarded as the sole responsibility of the housing department and, exclusively, a housing problem. For many homeless people, access to decent affordable housing is the solution to their homelessness problem; but for a growing number of homeless people (including children), practical and emotional support is also a necessary requirement if they are to address problems that precipitate homelessness or overcome the damaging experience of losing a home. If these problems are not addressed, it is unlikely that the individual or family will be able to sustain their new home and may well become homeless again.

Not only is homelessness more than just a housing problem for some homeless people; other departments within the same local authority can undermine the housing department's attempts to house a homeless person satisfactorily, or they may even be the cause of a household becoming homeless in the first place. Delays in payments of housing benefit, the failure of social work departments to meet their responsibilities and education departments not recognising the impact of homelessness on children – all contribute to thwarting a constructive and lasting solution to homelessness.

Rough sleeping in Scotland

Notwithstanding persistent lobbying from campaigning organisations, for two decades successive governments paid scant attention to rising levels of homelessness. Not until the advent of rough sleeping in the late 1980s did the sheer visibility of the problem demand policy-makers' attention by making it politically embarrassing to ignore. Virtually unknown 15 years ago, rough sleepers huddled in a doorway or begging on a street corner are now familiar sights in many urban centres.

Initially, the Rough Sleepers Initiative was introduced under the last Conservative administration. It has been expanded and developed under the current administration to the extent that over seven years the Scottish Executive will have allocated £63 million to local projects in order to meet its target of ending the need for anyone to sleep rough by 2003.

The theory behind the initiative is that all local authorities should provide a range of services to enable the rough sleeper to move along a continuum of provision from 'street'/direct access hostels, through resettlement services and supported accommodation to permanent housing. In practice, because many local authorities had virtually no relevant services in place prior to the initiative being set up, much of the resources have gone to assessing need and providing direct access accommodation and some resettlement services. While some local authority areas may achieve the Executive's target of ending the need to sleep rough, it has assigned the longer-term aims of the initiative (and the wider homelessness agenda) to the work of the Homelessness Task Force.

The Scottish Parliament and the Homelessness Task Force

In August 1999, within days of the Scottish Parliament being established, the Scottish Executive set up the Homelessness Task Force whose remit was 'to review the causes and nature of homelessness in Scotland; to examine current practice in dealing with causes of homelessness; and to make recommendations on how homelessness can best be prevented and where it does, tackled effectively'. For the first six months the task force focused almost entirely on legislative issues because of the imminence of the Parliament's first housing bill. For this reason, the changes it proposed were primarily those where a consensus existed

already. Nevertheless these changes have ensured that Scotland has the most progressive homelessness legislation in Britain – a significant achievement.

The Housing (Scotland) Act (2001) addressed weaknesses in the existing legislation. Among the new provisions is the corporate duty on local authorities to develop strategies that prevent and alleviate homelessness in their areas. This means that local authority departments share the responsibility for a homeless family or individual who can no longer be regarded solely as a 'housing problem'. It places a duty on local authorities to ensure that advice on homelessness and housing is available in their area and it gives homeless people the right to appeal against a homelessness decision made by the council. But by far the most significant of all the new provisions is the right of single people and childless couples ('non-priority need' homeless people) to temporary housing and advice and assistance to enable them to secure settled housing. This provision marks a radical shift in homelessness policy away from Elizabethan Poor Law concepts identified above to a belief that all homeless people are entitled to some form of assistance.

This positive attitude towards helping all homeless people, and preventing homelessness wherever possible, has been a dominant theme in the second stage of the work of the task force. Having dealt with proposals for immediate legislative change, the task force was able to expand its horizons and focus on a broad range of legislation, policy and practice to prevent and resolve homelessness in the long-term. As well as commissioning extensive research into the causes of homelessness and the pathways into and out of homelessness, the task force has taken evidence from homeless people and professionals working at an operational and strategic level.

To be successful, any homelessness strategy must recognise the need to set in place systems and structures responsive both to personal crises that precipitate homelessness and to more intractable structural factors causing homelessness, such as housing supply and unemployment. This is likely to be challenging for the Scottish Executive because they will need to invest substantial additional resources. In an environment where homelessness and housing budgets compete against the political priorities of education and health, funding the strategy will be the real test of the Executive's commitment to tackle homelessness.

How effective are current measures?

The Scottish Executive's Homelessness Task Force could produce a coherent strategy to tackle homelessness that would nonetheless be ineffectual without sufficient resources for implementation. This will mean both capital expenditure to build affordable rented housing and to improve the existing supply of houses, as well as revenue expenditure to provide the services necessary to prevent homelessness happening in the first place and to sustain tenancies and prevent repeat homelessness. Labour administrations which have been in power in Scotland since 1997 are investing less money in housing than any government since the Second World War. Widely publicised developments, such as the Rough Sleepers Initiative, have attracted investment, but when all is added up, there is still a significant reduction in capital expenditure on housing.

The argument generally advanced is that what we are losing in public money we are gaining in private money, by transferring housing out of the council sector to other registered social landlords. While transfer of council housing to not-for-profit community-based organisations may be the right option for some areas over the long term, private investment is still dependent on exactly the same source of revenue as public investment – that is to say, rents. If transfers can bring in additional money faster, it is

only because they are underpinned by public investment. If public investment is cut, then private investment will decline as well. If we are to tackle homelessness by increasing the supply of decent affordable rented housing, public investment must necessarily increase.

The fact that social security remains a reserved matter for the Westminster government provides a further obstacle to the Scottish Executive's efforts to tackle homelessness. Expenditure on housing benefit constitutes the largest amount of public expenditure on Scottish housing. Not only is it outwith the control of Holyrood but also eligibility to the benefit is restrictive and the complexity of the system makes it time consuming, expensive and complicated to administer. These resources could be more effectively invested in 'bricks and mortar' as they were prior to the 1980s. Unfortunately, a fundamental change to the system of housing subsidies is unlikely unless social security is devolved to Scotland, and that is unlikely to happen in the near future.

Conclusion

This paper highlights the homelessness crisis facing Scotland. It shows that the causes of the crisis are complex and deep-rooted and will not be resolved in the short term. Since coming to power in 1999, however, the Scottish Executive has made considerable progress. It has extended the funding for the Rough Sleepers Initiative, set up a Homelessness Task Force to review the problem and propose solutions and introduced new homelessness legislation. It is still too early to judge whether these measures will be successful. Significant resources are required for capital and revenue expenditure if the prevention and alleviation of homelessness are to be realised. However, to date, public investment in housing is continuing to decline.

Questions for discussion

1. **To what extent can the homelessness policy protect the most vulnerable from changes in the economic climate?**
2. **Should all homeless people have the right to housing? If so, how do we ensure a sufficient supply of affordable housing?**
3. **Should responsibility for social security be devolved to the Scottish Parliament? What would be the benefits and disadvantages of such a move?**

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Health

SARAH CUNNINGHAM-BURLEY

Introduction

What has health got to do with democratic renewal? Health is fundamentally a social concept and a political issue. The World Health Organisation (WHO) defines health as 'a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity'. Of course, such a level of well-being is idealistic; many people operate with much more mundane understandings and experiences of health as being good enough for getting on with everyday life. However, the WHO definition reminds us that promoting health and well-being should extend beyond preventing disease or ameliorating its effects. Health then is a central concern for societies, their governments, populations and individuals. This paper outlines some of the specific issues raised by the health of the population of Scotland and how they might be tackled.

Over the last 150 years there have been enormous improvements in the health of the people of Scotland, as in other industrialised countries; life expectancy at birth was 72.8 years for men and 78.2 years for women for the period 1998-2000, whereas it was 40.3 and 43.9 respectively for the period 1861-70. The sharp decline in infectious diseases, such as tuberculosis and measles, which had been responsible for much early death and ill-health, was largely attributed to improvements in living conditions – better housing, clean water supplies, improved provision of food. Some of these were precipitated by specific public health measures, others the result of broader social change. Relevant advances in medicine – effective drug treatments and vaccinations – came at a point when these diseases were already in decline, but of course they helped to maintain that progress. To understand health we need to adopt what is often referred to as a 'social model' and consider the range of factors which influence health, illness and disease. This means not just focusing on the individual or on medicine and healthcare, but looking at society more generally. This is much broader than the medical model that focuses more directly on disease, its cure and on healthcare provision itself.

The health of the Scottish population

Despite enormous improvements in health as measured by life expectancy, the state of health of the population of Scotland gives rise to considerable concern. One of these concerns is primarily demographic and a feature of increased longevity. We have an ageing population, and the projection is that by 2016 over 22 per cent of the population will be of pensionable age. Much ill-health is age-related, although by no means inevitable. Another concern relates to the burden of ill-health within the Scottish population: deaths from heart disease, cancers and respiratory disease are particularly high in Scotland. Cancer is the commonest cause of death in Scotland, followed by heart disease (Scotland has one of the highest death rates from coronary heart disease in the world). There is also particular concern over rising suicide rates among young men.

Furthermore, there is a worrying disparity between Scotland and the rest of the UK, and indeed much of Europe, for both all-cause and cause-specific mortality. If mortality rates for the UK as a whole are standardised as 100, then Scotland's are 117. This means you are more likely to die prematurely if you live in Scotland than elsewhere in the UK. Scotland is fourteenth in the European league table of age-standardised all-cause mortality, well behind countries such as Sweden. So, although health has improved, Scotland still lags behind some of its European counterparts. Health is sustained and disease caused by a range of factors, and we need to consider both health behaviours and other circumstances to understand health in Scotland.

Health behaviours

Many government documents (for example, the White Paper *Towards a Healthier Scotland*, 1999) as well as the media highlight the Scottish diet as a primary cause of ill-health. There is evidence to suggest that the 'Scottish diet' is low in fresh fruit and vegetables, and high in fat, salt and sugar. The Scottish Health Survey (1998) reported that most children and just over half of men and women ate chocolates, crisps or biscuits on a daily basis. Although smoking rates are falling among the adult population – 34 per cent of men and 32 per cent of women in Scotland still smoke – rates are rising among young people. More people are exceeding recommended limits of alcohol consumption, again especially young people. Drug misuse remains a high-profile issue within Scotland, with high levels of knowledge of, and exposure to, drugs amongst young people and an increase in drug-related deaths. Scotland also has high teenage pregnancy rates compared with the rest of Europe. It is important, however, not to take a 'victim-blaming' approach when considering health damaging behaviours; behaviours often make sense when understood in the particular contexts within which they take place.

Inequalities in health

The health record of Scotland gives cause for concern because of high rates of premature death in comparison with other industrialised countries, the morbidity (ill-health) associated with major diseases including psychiatric conditions, and health damaging behaviours. However, what is even more important for post-devolution Scotland is the continuing presence of inequalities in health. The experience of ill-health and premature death is not spread evenly throughout the population; there is a clear association between most measures of health (morbidity and mortality) and deprivation, with those in higher social classes or least deprived areas experiencing better health than those in lower social classes or most deprived areas. There are then both area and social class differences in health. For example, there is a clear association between most cancers and deprivation in terms of incidence (you are more likely to get cancer if you are in a lower social class) and in terms of survival (you are less likely to survive if you do). There is also a clear social class gradient in the incidence of and mortality from coronary heart disease, to the extent that those in the most deprived areas of Scotland are at much higher risk. Suicide rates among young men are two times higher in the most deprived areas; more generally, anxiety and depression are more common in deprived areas.

Explanations for inequalities

The presence of inequalities in health has been a concern for well over a century, but what is particularly pertinent now is their persistence despite overall improvements in health (although such improvements are not evenly felt across social groups). Socio-economic circumstances continue to play an important role in shaping the health of the population of Scotland, reinforcing the social and political nature of health concerns. How can such inequalities in health be explained? Four common types of explanations were put forward in the Black Report in 1980:

- *artefact* – the relationship observed between social class and health is a feature of the way both are measured and may be of little causal significance;
- *social/natural selection* – that health determines social class position rather than the other way round;
- *materialist/structural* – the role of socio-economic factors, economic and social capital is emphasised as causing inequalities in health;
- *cultural/behavioural* – lifestyle issues such as adopting behaviours detrimental to

health are accorded an autonomous role in causing inequalities in health.

It is the last two of these that are considered most important, but debate continues about the actual causal mechanisms implicated in the production of health inequalities and therefore in the range of interventions that might be put in place to ameliorate them.

It is important to understand the relationship between what might be termed hard factors such as material circumstances (housing, employment, income, wealth) and softer factors such as health behaviours or self-esteem. It is likely that these do not operate exclusively but rather in synergy. Certainly we observe higher rates of smoking as well as poorer diets among those who are worst off in our society, but such behaviours are deeply related to poverty and to getting by in situations of deprivation and disadvantage. The challenge for Scotland's health is to eradicate or reduce inequalities in health and to understand how socio-economic and psycho-social factors combine to give rise to the observed gradients in health outcomes.

Levels of intervention

Tackling inequalities in health has been identified as a key issue by government in the recent publication, *Our National Health: A Plan for Action, A Plan for Change* and in the earlier White paper, *Towards a Healthier Scotland*. Whitehead (1995) has identified four possible levels of intervention utilised in attempts to reduce inequalities in health: strengthening individuals; strengthening communities; improving access to essential facilities and services; encouraging macro-economic change.

There are tensions in the different levels of intervention and each requires different degrees of political will and resource commitment – for example, between reducing poverty and the gap between rich and poor or promoting individual behavioural change. Trying to improve the health of the total population is likely to have most effect on those who are already less likely to experience ill-health (the better off). They are more likely to respond positively to interventions supporting behavioural change, for example, and will also benefit more after making such changes. Supporting those who are most vulnerable to ill-health in Scotland's most deprived communities may help empower individuals and communities, but this will not produce long-term effects unless radical redistributive measures are also in place.

It is important not to reinforce the stigma associated with poverty and social exclusion through targeted interventions.

Democracy, citizenship and health

Health is a concern for both individuals and society, and interventions to promote health and reduce inequalities in health involve much more than improving the provision of health services. There is increasing recognition in post-devolution Scotland of the need to involve individuals and communities in issues that affect their lives and their health. This is part of a much wider trend in late modernity in both public and private sectors to 'listen to consumers'. Can this trend also be one harnessed to promote active citizenship and participatory democracy, particularly in relation to health issues previously dominated by a powerful medical profession? The involvement of patients, other individuals and communities in decision-making is a powerful discourse of empowerment. However, democratisation of the planning and delivery of services is much harder to achieve. Harder still is the democratisation of health itself and the eradication of inequalities. Partnerships working for health have not only to embrace different sectors, disciplines and professionals; they also have to involve communities and individuals as equal partners. This has to result in changing structures of

power and much wider consultation and public engagement in issues relating to health.

Conclusion

Scotland lags behind many of its European partners in terms of the health of its population. Within Scotland we also see considerable disparity between different areas and different social classes, with greater ill-health being associated with greater levels of deprivation. This gap is not getting smaller, even though the overall health of the population has improved over time. To deal with these issues, a wide perspective is required that embraces a social rather than a medical model of heath. The social determinants of health must be recognised and acted upon so that the inexorable link between poor socio-economic circumstances and ill-health can be broken. Tackling this requires interventions across all sectors of government in order to reduce social inequalities and thus improve health. Democratic renewal must herald meaningful public involvement and greater equality and justice for health.

Questions for discussion

1. **What are the barriers to achieving 'health for all' in Scotland today?**
2. **What are the tensions between individual and collective responsibilities and responses to health issues?**
3. **How can the public become involved in planning and delivery of interventions aimed at reducing inequalities in health?**

Further reading

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Medicine and democracy

KENNETH BOYD

Scientific and social change

During the twentieth century, scientific progress profoundly changed the practice of medicine and its relationship to society. Two centuries earlier, the creation of many new hospitals and out-patient dispensaries enabled doctors to investigate and treat large numbers of patients, thus establishing a scientific basis for medicine. But practical benefits only really began to be enjoyed in the later nineteenth century, when anaesthesia and asepsis made surgery and childbirth safer and less fearsome, and when better medical understanding began to bring killer infectious diseases under control. The introduction of antibiotics, new vaccines and a wide range of pain-relieving drugs, together with improvements in working conditions, antenatal care and living standards generally, meant that by the mid-twentieth century a large proportion of the population could look forward to longer life and greater freedom from disease and suffering than any previous generation. For those who did fall ill, especially from heart disease or cancer, new life-extending treatments, from transplants to tamoxifen, were continually being developed, and by the beginning of the twenty-first century, genetics and biotechnology were holding out hope of even more dramatic advances.

From the end of the middle ages until the nineteenth century, physicians, surgeons and apothecaries (pharmacists who later became general practitioners) were independent craftsmen with their own trade guilds or colleges. But with the rise of hospitals and medical specialisation, doctors became more dependent on one another and on nurses. In Britain, a unified medical profession was given statutory recognition and regulation in the mid-nineteenth century and nurses gained state registration early in the twentieth century. At this time also, state-supported health insurance began to provide medical benefits to a larger proportion of the population, and in Scotland, a government-funded Highlands and Islands Medical Service was created, while just before and during the Second World War, many new hospitals were built. After the war, in 1948, doctors and nurses in the UK became part of the new National Health Service (NHS), designed to provide comprehensive healthcare, without charge, to the whole population. As almost all medical care was now funded by government, mainly from taxation, the relationship between doctors and the rest of society was to change.

Progress and problems

This change began becoming apparent in the 1960s. It was a time of dramatic medical advances: heart transplants, *in vitro* fertilisation, the contraceptive pill, effective psychiatric drugs, successful hip replacements and hospice care. In developed countries, the threat from infectious diseases had diminished almost to vanishing point (AIDS was yet to arrive), and the race was on to understand, treat and cure cancers, heart disease, and many other life-threatening or disabling conditions. The level of financial and emotional investment in medical research was now huge and unprecedented. But disturbing evidence also began to appear that some of this research had been conducted on patients without their knowledge, not just in Nazi Germany during the war, but more recently in the USA and the UK. Serious doubts began to arise about how far the benefits of medical research, expensive in terms both of technology and manpower, could be provided to the growing numbers of patients now entitled to them. These were matters which could no longer be left to doctors to decide. Patient consent and public participation were to be the new watchwords.

These developments and what flowed from them have led, at the beginning of the twenty-first century, to a radically new relationship between medicine and democracy. This is expressed, on the one hand, in terms of how decisions about the care and

treatment of individual patients should be made; and, on the other, in terms of how healthcare priorities should be determined.

Doctor-patient relationships

Decisions about the care and treatment of individual patients have always been made in one of two ways – either by doctors alone, or by doctors and patients together. In ancient Greece, according to Plato, slaves were treated by doctors' assistants without any exchange of information between them, whereas free men were treated by physicians who listened, investigated, explained, asked permission to proceed and were attentive in continuing care. Relics of this two-tier system endured over the centuries, although when doctors shrouded their art in mystery, it was often because their most effective therapeutic weapon was the patient's trust in their mysterious powers. As more effective methods became available, this mystery was replaced by those of medical science, often equally impenetrable to laypeople, and often gratefully accepted by patients, at least while the social assumption held that doctors, like bank managers and men from the Ministry, knew best. But in the later decades of the twentieth century, as that assumption faded, a growing number of organisations speaking on behalf of patients and disabled people began to assert their right to be fully informed about, and to give or withhold consent to, not only participation in medical research but also their own medical care and treatment.

Many doctors, as well as nurses and members of paramedical professions, now regard this shift in public attitudes as not just inevitable but desirable. Although modern scientific medicine is highly effective, its achievements are incremental rather than dramatic. Lives can be, and now are, prolonged well beyond the expectations of earlier generations. But the quality of prolonged life cannot be assured, and it can be difficult to decide on medical grounds alone; for example whether a frail elderly patient should be resuscitated, or whether the possible benefits of a pioneering new treatment outweigh its likely burdens for the patient. The prevention of many diseases, and successful recovery from acute medical conditions, moreover, may depend at least in part on the patient's lifestyle and attitudes. With this in mind, health professionals now stress the importance, not of 'compliance' with 'doctor's orders', but of 'concordance' between patient and doctor.

But more democratic doctor-patient relationships are not without their problems. Fully 'informed consent' to complex treatment for complex conditions when the possible outcomes are often highly uncertain, can be difficult to realise in practice. A patient who has little or no background knowledge of medicine may find it difficult to understand and weigh up the information he or she is given; it is even more difficult if a critical decision has to be made at a time when he or she is severely debilitated or even confused by a serious illness. In such circumstances, 'old-fashioned medical paternalism' may be precisely what some patients want. Yet clearly it is not what many others, not seriously ill and better informed (such as women in childbirth, for example, or patients in the early stages of cancer) would wish. The difficult question for doctors, then, is to determine how much different patients wish to be told, and how much of the responsibility of decision-making they wish to share. Communication skills and attitudes needed to do this well are now given high priority in the education of doctors and other health professionals. But in an increasingly litigious society, there is also a danger that doctors may now feel it safer to give patients too much rather than too little information, thereby overburdening them without necessarily making it any easier for them to decide.

Similar problems can arise in the care and treatment of patients who are no longer capable of making decisions for themselves.

The innovative Adults with Incapacity (Scotland) Act (2000) makes provision for proxies, whose consent is required for the patient's treatment or participation in research. In addition, all official guidelines on withholding or withdrawing treatment now require doctors to consult those closest to the patient about what the patient would have wanted. But the decision about what is best for the patient is still legally for the doctor responsible to make; and while some families prefer not to be too involved in making it (they might later have doubts about whether it really was best for their relative, for example), others feel that since they know the patient better than the doctor does, they have a right or a duty to decide. Here again, the doctor's communication skills and attitudes are crucial, but so are the rights and responsibilities of patients and their families. For the new relationship between medicine and democracy to serve the common good, health professionals, patients and families alike need to tread a difficult middle way between paternalism and consumerism, recognising one another not just as legal persons but also as human, and therefore fallible persons-in-relationship.

Resources for health care

At the beginning of the twenty-first century, the delivery of healthcare is one of the main issues on the domestic political agenda, both in Edinburgh and in London. The ideal, ever since the NHS was founded, has been to provide high-quality health care, without charge, to the whole population. But this ideal has proved increasingly difficult to realise. The NHS, it has been suggested, is like a garage whose forecourt displays a sign saying: 'We provide three kinds of service – cheap, quick and reliable. You can have any two, but you can't have all three. If it's cheap and quick, it won't be reliable. If it's cheap and reliable, it won't be quick. And if it's quick and reliable, it won't be cheap.' The NHS, that is, could provide free healthcare to everyone, but it would not be high-quality; or it could provide free high-quality care, but only for some conditions; or it could provide high-quality care to everyone, but they would have to pay for it.

A mix of the first and second of these options is probably what the NHS actually has provided since 1948. Basic healthcare has been available, without cost, to everyone, and high-quality treatment for certain conditions has been available, again without cost, to many but not all patients. In the early years of the NHS, this inequality of treatment was masked by the fact that general practitioners, the NHS 'gatekeepers', operated a system of *de facto* rationing. Far fewer patients then than now were referred for expensive hospital investigations, the reason given for this being that not much more could thereby be done for them – which at that time, in many cases, may have been true. But at that time also, inequalities in care were often seen as a temporary necessity. As medical technology advanced, like other technologies it would become less expensive and thus available to more people. Progress would lead to quicker cures and more effective prevention, and thus fewer people actually needing health care.

This hope has not been fulfilled. Progress has led to earlier detection and more effective treatment of many conditions. But these treatments are less often once-and-for-all cures than (as, for instance, in the case of dialysis and many chemotherapy treatments) expensive ways of providing people with an extra lease of life; and when the lease is a long one, additional treatments for further complicating conditions are needed as people grow older. In the meantime, other previously healthy people, as they grow older, become potential beneficiaries of treatments which can provide them too with an extra lease of life. The achievements of medicine, in other words, have led not to a diminution but to an

increase in the need for expensive health care; and it is a moot point whether more effective prevention of disease by persuading people to change their lifestyles, for example, would reduce or merely postpone the need for it.

Today it is no longer possible for doctors to operate a covert system of rationing. If high-quality treatment is to be made available to people with some conditions but not with others, morally justifiable reasons for this have to be given, and the procedures by which such decisions are made have to be transparent. But while the latter may be possible, the former is more difficult. When a particular group or section of the population is perceived as disadvantaged (such as elderly people in need of long-term nursing care or patients waiting for the diagnosis and treatment of cancer), a good case can almost always be made for devoting more healthcare resources to them. But when their claims are set against those of all the other groups who have a claim on healthcare resources, and when those resources are acknowledged to be finite, it is extremely difficult, and may be impossible, to justify denying resources to some of these groups, while providing them to others. Most official enquiries into this subject have concluded that the only treatments which it might be justifiable not to provide (or to provide only for a fee) are cosmetic surgery and infertility treatment, and even these exceptions are highly contested.

If there is no morally justifiable reason for denying resources to any group whose life or health could benefit from healthcare, has the time come for the third option on the NHS forecourt, that of having to pay for high-quality care? Many people believe that it has, some arguing that higher-quality care should be made universally available from increased taxation, others that individuals should make provision for themselves through health insurance. Whether society is willing to go down either of these roads remains to be seen. If it is not, perhaps the most that can be expected from the NHS, beyond trying to maximise its effectiveness and efficiency, are measures designed to reduce the most unjustifiable inequalities. The fact that these inequalities may be between more deprived and more affluent groups, as well as those between groups with different health needs, serves as a reminder that determining which inequalities are most unjustifiable is an inevitably political process. This process is political, moreover, not only at the level of the Scottish Executive and Parliament, but all the way down. The Executive's health plan, *Our National Health*, requires NHS boards to show how they are involving the public, and what difference that has made to the services they provide. This attempt to forge new links between medicine and democracy is unlikely to succeed, however,, unless the Scottish public, which in the end means individual Scots, are willing to participate in decision-making about questions of health service priorities to which there are no easy answers, nor answers that will satisfy everyone.

In the eighteenth century, John Gregory, Professor of Medicine first at Aberdeen and then Edinburgh, observed that it was very difficult for the public to judge the quality of contemporary medical care, which was often poor, because physicians were so secretive about their methods. The remedy for this, he argued, was to make medical science part of the liberal education of independent gentlemen, who would not practise, but be enlightened judges of medicine, exposing the deficiencies of those who practised it 'merely as a trade', but validating and encouraging physicians of true scientific and humane merit. For over two hundred years, Gregory's call for the 'laying open of medicine' went largely unheeded. But today, when public expectations, stoked by the media and information gleaned from the internet, often exceed what medicine can deliver, public participation in decision-making needs precisely that realism, about the possibilities and

limitations of medical science, which the liberal education Gregory proposed could provide – now not just for educated gentlemen but for an educated democracy.

Questions for discussion

1. **How much responsibility would you want to take for decisions about your own medical treatment, or the medical treatment of your child or of your elderly parents?**
2. **What do you think are the most unjustifiable inequalities in the provision of healthcare in Scotland today? What could you do to make your views known to your Health Board?**
3. **Why is the provision of healthcare 'an inevitably political issue'?**

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The politics of the environment

EURIG SCANDRETT

The environment, Einstein is reputed to have said, is 'everything except me'. The environment constitutes all the physical things around us with which we have some connection: the built, manufactured and natural; the air and the atmosphere; the water in our taps and the oceans; people.

In one sense, the politics of the environment is about the regulation of environmental changes. In Scotland, environmental legislation is devolved to the Parliament and scrutinised by the Transport and Environment Committee. In the first years of devolution, the Executive was uncertain where to locate it, passing it around various ministries. Much environmental legislation is driven by the European Union, and implementation is the responsibility of a range of public bodies, in particular the Scottish Environment Protection Agency (SEPA) and Scottish Natural Heritage.

At one level, citizens can influence environmental legislation in the Parliament, participate in local environmental change through land use planning and control pollution through SEPA. However, the environmental movement has done a great deal to change the way in which we think about what is political. As a 'new social movement' with its origins in the 1960s, modern environmentalists have pioneered new forms of social protest, single-issue and lifestyle politics. From the tunnels and tree houses of the anti-roads movement to the green consumerism of the environmental entrepreneurs, with aims as varied as obstructing nuclear dumping to discouraging children from littering, the environmental movement has had a signfi-cant impact on the way people think about 'doing politics'.

Signposts of political influence

The extent to which the environmental movement has influenced political leaders throughout the world can be seen from the signposts below:

1962 Silent Spring by Rachel Carson highlighted the effect of modern intensive chemical-based agriculture on the natural world.

1972 The Limits to Growth produced by Club of Rome made the case that economic growth was based on the increasing use of natural resources (such as oil and minerals) which were limited and would run out, leading to a global ecological and economic disaster.

1972 United Nations Conference on the Human Environment, Stockholm highlighted conflict between interests of environmental groups in the West and development groups in the South.

1987 Our Common Future (Brundtland Report) coined the phrase 'sustainable development' as meaning development that meets the needs of the present without compromising the ability of future generations to meet their needs.

1992 United Nations Conference Environment and Development (Earth Summit) produced Agenda 21, the programme for sustainable development, signed by over 150 countries, including the UK.

Environmental politics at the end of the twentieth century can be categorised as a conflict over growth. Environmental groups, largely in the rich countries of the capitalist west, championed a 'limits to growth' argument, which advocated constraints on economic growth to prevent ecological damage. Leaders of the poor countries resented this argument (coming as it did from the countries which had, until recently, colonised them) since economic growth is exactly what they needed to tackle poverty. This contradiction was addressed in the Brundtland Report through the

notion of 'sustainable development'.

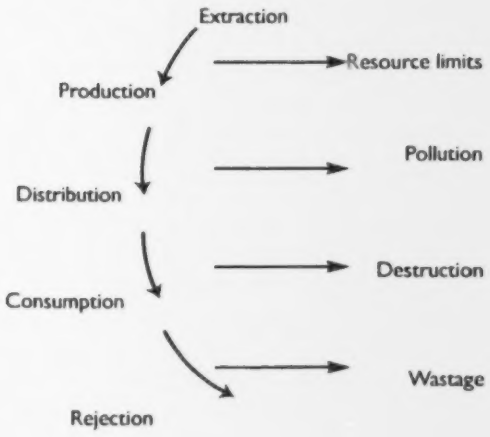
The strength of the concept of sustainable development is that it has been accepted by a wide range of interests, and is just as likely to be claimed by governments of left and right, multinational businesses, environmental groups and grassroots citizens' organisations. Of course, this is also a weakness since these groups often mean very different things when they use the term.

Agenda 21 is an interesting document in terms of the politics of the environment. Probably the best-known aspect of it is Local Agenda 21, which expects local authorities to involve citizens and civic society in shaping the local environment. However, Agenda 21 also emphasises the particular roles of women, children, young people, indigenous peoples, workers and their trade unions, as well as the responsibilities of business, government and civil society.

The claims of environmentalism

The simplest argument of environmentalism is that, whatever human society does intentionally to survive and improve our lives, there will also be an unintentional effect on the environment, which may be bad for people or for nature. In other words, whenever we set out to make goods, we also make bads.

This is demonstrated as follows:



Economists call these effects 'negative externalities' since they do not come into the economic decision-making of the companies which carry out the processes. Some environmental economists argue that the costs of externalities should be borne by the company that causes them through mechanisms such as resource taxes and pollution permits. This puts pressure on companies to find cheaper and therefore less damaging ways to produce things. Macro-economic policy such as taxation is reserved to the UK Parliament in Westminster which has introduced energy levies and landfill taxes (but, at the same time, has reduced fuel tax).

There are several problems with using taxes to 'internalise' the negative externalities. The cost of complex environmental damage caused by a particular company is impossible to calculate and is more realistically set at the cost that is politically acceptable to the market or to powerful lobby groups. Realistic pricing also tends to be regressive and to hurt the poorest more than the richest. Inevitably, perhaps, these market mechanisms reproduce the weakness of markets: the unequal distribution of goods – and bads. Thus, poorer, peripheral and less powerful communities and countries suffer greater environmental damage, whilst richer groups receive a greater share of the benefits.

This can be seen in Scotland, a developed country on the periphery of the European economic bloc with high levels of poverty. Scotland suffers high levels of fuel poverty, is targeted for the raw materials for Europe's economic growth and emits five times more carbon dioxide than would be sustainable. These inequalities have inspired Friends of the Earth to call for environmental justice as a priority.

Some environmentalists argue for 'strong sustainability': economic growth has ecological limits and direct constraints on economic activity are needed, whether through state regulation or through strong

accountability (or both). This is not necessarily the same as arguing for no economic growth, but rather only for economic growth which does not infringe ecological limits.

Various models have been used to express how much damage is caused by the production and consumption of the western countries. The *ecological rucksack* is a metaphor for how much of the world we carry about on our backs, and the *ecological footprint* for the amount of land used up somewhere in the world to bring us the goods which we consume. Scots carry heavier ecological rucksacks and make bigger ecological footprints than the majority of the world's population.

Environmental space is an estimate of the amount of any resource which can be used without damaging the earth in extracting it, using it, or disposing of it. Unlike ecological rucksacks and footprints, environmental space gives an indication of how much resource it is legitimate to use, on the assumption that the earth's resources should be shared throughout the world and with future generations. The table below demonstrates how Scottish annual consumption of oil and other fossil fuels compares with the environmental space and with consumption in other parts of the world.

Fossil fuel consumption in average tonnes of carbon per capita per year

USA	20.0
Scotland	8.7
World	4.3
Africa	1.0
Environmental Space	1.7

Even if we reduced our resource consumption to the environmental space, this would not take into account the long and continuing history of exploiting the rest of the world. There is an ecological debt to be paid back from the rich to the poor.

Who are the environmentalists?

Historically, Scotland has produced a number of individuals who have been influential environmentalists, including John Muir, Patrick Geddes and Frank Fraser Darling. Modern environmental organisations encompass conservation charities (John Muir Trust, Scottish Wildlife Trust), quangos (Scottish Natural Heritage), social-environmental campaigners at national (Friends of the Earth Scotland) and local (Cambuslang & Rutherglen Against Pollution (CRAP)) levels, militant green activists (Reclaim the Streets, Earth First!) and the Scottish Green Party, whose MSP Robin Harper was the first Green member of any UK Parliament. In practice, many people are involved in environmentalism at several of these levels and many others support environmental activities without being part of any organisation.

The environmental movement has been described as a 'post-materialist' social movement, i.e. environmentalists are middle-class, with non-materialist values which are based on beliefs about nature, quality of life and aesthetics or spirituality. In contrast, old social movements, such as the labour movement, are based on defending material conditions. Others have disagreed with this, particularly sociologists from the poorer countries, where environmentalists are often the poorest people whose material livelihoods are dependent on their environment and jeopardised by exploitative activities such as deforestation, dam building and mineral extraction. Probably the best known of these materialist environmentalists are the writer Ken Saro-Wiwa in Nigeria, Chico Mendes in Brazil and the Chipko (tree-hugging) movement in India. The fact that both Saro-Wiwa and Mendes were murdered and many Chipko women were beaten up and raped demonstrates that materialist environmentalism often carries

with it a bigger threat to state and corporate interests than many of the activities of the post-materialists.

There are also materialist environmentalists in the richer countries, such as the American Environmental Justice Movement, which has campaigned against environmental racism – the dumping of toxic wastes in black, Hispanic and native American communities. Friends of the Earth Scotland, while drawing its membership mainly from the middle class, carry out much of their activity with working-class communities fighting against local factories, waste facilities and pollution sources – in other words, defending their material environment.

The politics of environmentalists

Some environmentalists have claimed that they represent a new political ideology with the same status as liberalism, anarchism, or socialism – or, as the British Green Party used to claim, 'neither left nor right but forward'. In practice, however, most environmentalists are politically aligned somewhere on the left-right spectrum. Various conservative forms of environmentalism can be identified, including the more preservationist conservation bodies, and others committed to free market economics as a mechanism to ensure efficient resource use. More liberal environmentalists emphasise lifestyle choice, or argue that in a pluralist democracy it is simply enough to lobby for environmental protection. Environmentalists on the left include Green social democrats, who argue that government should play a stronger role in intervening in the economy to protect the environment. More radical and socialist environmentalists believe that existing social and economic relationships must be transformed through greater popular or workers' control of the state, economy and community or, in the anarchists' case, a rejection of the state in favour of local economies.

Environmentalism in the West may be seen as a set of values or meanings, which may have their origins in middle-class concerns but, nevertheless, seek to represent the interests of nature and future generations. Different interests in society attempt to claim those aspects of environmentalism which suit them. For example, activities such as green consumerism can serve to reinforce consumerism (and therefore defend the interests of business) rather than move to an environmental future. A more egalitarian environmentalism comes from the alliance of environmentalists with workers and other social movements.

In many countries, community- and worker-based movements collaborate and the defence of the workplace environment by trade unions is inseparable from the defence of the wider environment. Unfortunately, this kind of alliance has been less developed in Scotland and building them remains a key challenge for the process of democratic renewal.

Conclusion

The politics of the environment is essentially about redistributing the physical costs of production between sections of society, throughout the globe and between ourselves and future generations. In Scotland this means tackling the damaged and damaging environment experienced by many who live in poverty, as well as reducing our wasteful use of resources which threatens the quality of life of our childrens' children.

Questions for discussion

1. **To what extent do you think 'sustainable development' and 'environmental justice' are useful concepts?**
2. **Can you identify potential environmental activities which are or can be done in your own community, workplace, trade union, religious organisation, region, or by environmental organisations which you know? Whose interests do they support and whose do they challenge? Do they encourage a more egalitarian environmental future?**

3. **How useful is it to consider people who defend their communities against a dump site, and people who join bird conservation charities as part of the same environmental movement?**

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www.foe-scotland.org.uk

The changing family

LYNN JAMIESON

There have been dramatic changes in many areas of family life in the course of the last few decades. Debate continues about how to interpret the overall consequences of these trends. Some commentators focus exclusively on the apparent increase in fragility of family relationships indicated by trends such as rising divorce, but there is also strong evidence of the continued importance of family relationships to most people, despite much greater choice and variation in how personal life is conducted. Some commentators present change as a positive shift to a more democratic personal life in which people negotiate their relationships on a nearer equal footing. These changes reflect changes in the material, social and economic conditions of an advanced industrial or post-industrial society as well as changes in attitude. Indeed, attitude change is typically bound up with more structural changes in how people live. However, this short paper concentrates on documenting changes in behaviour and attitudes rather than exploring the underlying causes.

Evidence of change

Marriage and cohabitation

A number of European societies share a similar set of visible tends in patterns of family living, including change in the age and manner in which people enter marriage-like relationships. In Britain, over the 1980s the popularity of marriage apparently declined from its all-time peak in the 1960s and 1970s. In Scotland and England and Wales, the average (mean) age of first marriage rose to only a few months short of the thirtieth birthday for men and the twenty-eighth birthday for women. This is higher than the previous peak in the decades around 1911-1920 when people married in Scotland on average almost a year later than in England and Wales, at age 26 for spinsters and 28 for bachelors.

The number of marriages has not continued to fall, but stabilised in the 1990s. During this same period, there was a significant increase in the number of couples living together without being married. Living as a couple without remarriage has become very common among divorcees. By the 1990s, most couples marrying for the first time had lived together before marriage; about a third of unmarried young people in their late twenties were living with a partner in Britain, although the proportion was about 10 per cent lower in Scotland. Some cohabiting couples never marry and cohabitation is a pattern that is here to stay in this century.

Divorce

Changes in the patterns of breakdown of partnership are as noticeable as shifts in partnership formation. As in many other countries, the numbers of divorces in Britain rose dramatically between the 1960s and the early 1990s. They remained proportionately slightly lower in Scotland than in England and Wales, but followed the same general trend. Divorce may now have stabilised in Britain, with no rising trend since the mid-1990s. Research suggested that when couples live together rather than marry, their relationship was just as likely or even more likely to break down than a marriage. At the end of the twentieth century, it was estimated that one in four children were affected by the separation of their parents before their sixteenth birthday and two in five marriages ended in divorce. Family disruption was not new, however. At the beginning of that century, significant proportions of children still experienced the death of a parent before they were 16, an event that has now become more unusual.

Having children

Family size has fallen and by the 1990s typical families had one or two children. Births were below the number necessary for a stable population. In the 1970s, relatively young ages of marriage meant earlier

childbirth for many women. By the end of the twentieth century, the most popular age for having children was in the late twenties but there were more women giving birth in their early thirties than in their early twenties. Later marriages, and more people cohabiting, were associated with more births outside of marriage. In England and Wales and in Scotland, nearly 40 per cent of all births were outside of marriage by the end of the twentieth century, but the majority were jointly registered by parents living at the same address – 70 per cent in Scotland and 60 per cent in England and Wales.

Types of households

While households made up of couples remained the most common household type, by the last decade of the twentieth century in Britain, family households consisting of a couple with dependent children were outnumbered by couples with no children. Couples with no children include those who have never had children and the 'empty nest' phase. Smaller family size meant more couples in the 'empty nest' stage and delayed childbirth meant an associated increase in both temporary and permanent childlessness.

Lone parent families have also increased since the 1950s, to 10 per cent of all households in Britain by the end of that century, largely as a consequence of the rising divorce rate. The number of people living alone has increased and was counted as a quarter of all households at the end of the twentieth century. Since the 1960s there has been an increase in single young people living in independent households, particularly in the cities. This is a practice that varied across Europe, with leaving the parental home before entering a partnership being very common in some countries and still being very unusual in a minority of others. In most European countries, the proportion of elderly people living alone has also increased. The common combination of longer life and fewer births means that elderly people form a growing proportion of many populations. Elderly women are the most likely to be living alone as they are more likely to outlive their partner than men, and in Britain, they are also somewhat less likely than men to re-partner when widowed or divorced.

Gender roles

One other important change concerns the interaction between men's and women's family relationships and their engagement in paid employment. While for generations some married women have been engaged in paid employment, the norm at the beginning of the twentieth century was for women to withdraw from paid work on marriage. Indeed, in Britain some employers barred married women from work. Practice has changed since the Second World War along with the beliefs about 'women's place' that made marriage bars possible and legal. By the end of the 20th century, in the majority of couple households below retirement age both men and women were in paid employment, although many more women worked part-time than men. While women's greater involvement in paid work resulted in some men doing more housework, research continued to show that many women continued to carry more responsibility for housework and childcare, even in some households in which both partners worked full-time.

Changes in meaning and feeling

While such structural changes cannot be disputed, there is debate about changes in the meaning of 'family', in how people feel about family obligations and what people typically want from their personal life. It is clear that some ideas about the rights and duties of particular family members that were still common at the beginning of the twentieth century no longer have popular support.

From patriarchal authority to gender equality

Few people now emphasise the authority of a husband over a wife or his role as 'master

of the house'. In the twentieth century, feminist campaigning exposed and attacked assumptions about women's lesser worth than men and highlighted how financial dependence on men often disadvantaged women. However, the increase in women's participation in paid work after marriage and childbearing was probably more to do with economic changes than feminism. Shifts in the balance of jobs available and the costs of maintaining the prevailing standard of living meant that many couples had to find ways of both having jobs because they felt they needed two wages. The notion that marriage should be a partnership of equals gained strength in the latter half of the twentieth century. Surveys of attitudes clearly demonstrated increased support for gender equality in paid work, in housework and in childcare among both men and women, but with higher support for equality expressed by women. The evidence of behaviour rather than beliefs showed that many couples who believed in equality nevertheless let a situation develop in which women rather than men attended more to domestic responsibilities, family relationships and children.

From parents-as-bosses to parents-as-pals

Parents' attitudes to their children have also changed dramatically. At the beginning of the twentieth century, the adage 'children should be seen and not heard' was still seriously enforced in many homes. Children were unequivocally at the service of adults and any 'talking back' was 'cheek'. Many mothers and fathers were rather distant from and above their children. They did not see playing with children or doing things with them as a priority and much of childhood play took place outside in the streets or fields. In the second half of the twentieth century parents increasingly told researchers that they wanted to be emotionally close to their children and were less concerned about deference. By the beginning of the twenty-first century, many younger children had little access to a world of play that was beyond family and adult supervision, since they were increasingly housebound by the domination of streets by cars, parental fears about urban risks and new home-based technologies of entertainment. Long hours of employment in Britain continued to work against the desired 'quality time' between mothers, fathers and children.

From 'till death us do part' to 'lost that loving feeling'

Some commentators argue that the high incidence of divorce and the attractions of cohabitation came about because people expected more from their partnership than before. Above all, people wanted to feel they were still in love and loved. The marriage certificate became insignificant in comparison with this feeling of having a high-quality relationship, and hence people were less prepared to stay in a relationship that did not match this ideal. Studies suggested that even at the end of the twentieth century men and women sometimes had different understandings of what makes a good relationship, with women seeking more emotional intimacy. A sense of putting in unequal amounts of work to the relationship could undermine 'that loving feeling'. When relationships ended and children were involved, the children usually lost their father from their family home. Research indicated that perhaps only a minority of fathers managed to sustain the considerable effort involved in maintaining a good relationship with non-resident children.

Continued loyalty to family life?

One way of looking at the change in attitudes to family life is to say that having a particular family position – mother, father, husband, wife, son, daughter – no longer means living up to a standard set of expectations and obligations but negotiating good relationships with the rest of the

family. Studies of people's attitudes and ideals reveal that most men and women value family relationships very highly. They also show that people continue to have a strong sense of obligation to help family members, although this is not seen as an absolute rule but a matter that has to be negotiated.

Families and democracy

A personal life in which people learn to give and take in negotiation with others fits well with the ideals of democracy. Clearly some commentators fear that the balance has shifted too much towards personal goals and away from commitment, obligation and traditional ways of doing things. However, the traditions that have clearly been abandoned include some that were authoritarian rather than democratic. The evidence suggests that people continue to want long-lasting and stable relationships, even if they sometimes or often fail in the attempt. People's apparent desires for more equal and perhaps democratic relationships than in the past have not been fully realised in practice. At the beginning of the twenty-first century, gender inequalities in employment were still imported into the home and many couples saw the woman's job as secondary to the man's. Opportunities for paid employment remained rather different for men and women, with many jobs still being seen as more suitable for one or other sex. Women's average earnings remained lower than men's, many women did not earn enough to easily support themselves and their children and lone mothers were often poor.

Questions for discussion

1. **What does the idea of the family mean to you? How important is it?**
2. **Are changes in the pattern of family life an improvement? Are parents too protective of their children?**
3. **In what ways are personal relationships a democratic issue?**

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Scottish family policy and law

IAN DEY and FRAN WASOFF

Are family policies those that have families as their explicit focus, or are they all policies which impact substantially on family life? Most of us would agree that policies on parental rights and responsibilities count as family policy. Many of us would think the National Childcare Strategy is an example of a family policy. But what about the New Deal for the Long Term Unemployed? It may well have a big impact on the lives of some families, even though families are not explicitly mentioned or targeted. Is this a family policy? Not everyone would agree.

Family policy, unlike other areas of social policy such as health or education, is ill-defined and does not map easily on to existing government services or activities. Moreover, it engages government in an arena populated by many other agencies and institutions – not least the families themselves. Effective family policies therefore require more integrated and open forms of policy formation and implementation.

Family policy in the UK has traditionally been implicit rather than explicit, fragmented rather than focused. But, in the wake of the family values debate in the mid-1990s (which saw the main parties competing for the moral high ground over family matters), there is no doubt that family policies have moved towards the heart of Labour's agenda. The first ever consultation paper on family policy, *Supporting Families*, was only published in 1998 by the Ministerial Group on the Family, chaired by the Home Secretary.

The list of measures already introduced by the Westminster Government that impinge directly on family issues is undeniably impressive, including childcare provision, more family-friendly employment policies, the New Deal for Lone Parents, changes in Child Benefit and Child Support and new services (such as Parentline and Sure Start) to support parents.

Family policy in Scotland

Family policy is one of the matters devolved to the Scottish Executive under the terms of its Concordat with the Home Office. For a Scottish Executive keen to develop more joined-up, transparent and democratic ways of making policy, family policy presents both opportunities and challenges. Family policy will need a joined-up approach not only across the various parts of the Scottish Parliament, but also across tiers of government, between Holyrood and Westminster. Scottish policy areas that explicitly concern family life include family law, childcare and personal services for children, but other devolved policy areas such as health, community care, education, transport, housing, environment, criminal justice and other areas of law also have a significant impact on family life.

New Labour's family policies are closely linked to welfare reform, to increasing parental responsibility and labour market participation, and to reducing child poverty and promoting social inclusion. Family policy in Scotland is developing along similar lines. In anticipation of devolution, a Scottish Office consultation document, *Helping the Family in Scotland*, set out an agenda for family policy broadly comparable to that of Supporting Families though with a distinctively Scottish dimension, most evident in relation to the reform of family law.

Scottish family law

Family law has long been a significant instrument of family policy in Scotland, most recently in the Children (Scotland) Act 1995. In 1999, the Scottish Office published *Improving Scottish Family Law*, setting the family law agenda for the first years of the Scottish Parliament. It asked how family law should be adapted to meet the needs of increasingly diverse family forms, and was especially concerned with addressing the rights and responsibilities of parents, and reducing the risks of family

life. Following consultation, the Scottish Executive published in 2000 a White Paper, *Parents and Children*, and announced plans to bring forward legislation, before the next Scottish parliamentary election. Some of the key proposals in the White Paper are:

- To reduce length of separation (for divorces on separation grounds) to one year where both parents consent, or two years if they do not;
- To fund couple support organisations (such as Family Mediation Scotland and Couple Counselling Scotland) that ease the transitions associated with divorce – though not to make mediation compulsory;
- To give unmarried fathers automatic parental rights and responsibilities if they register the birth of the child jointly with the mother;
- To allow step-parents to obtain parental rights and responsibilities, with the formal agreement of both natural parents;
- To extend protection from domestic violence by matrimonial interdicts (renamed domestic interdicts) to cohabitees and ex-spouses; to extend interdicts to areas beyond the matrimonial home, such as a place of work, or a child's school; and to extend the maximum duration of interdicts remaining in force after divorce.

The proposals reflect the growing separation in family law of parental and partnership relationships, allowing the rights and responsibilities of parents to be recognised outwith marriage. They also try to reduce the risks of family disputes, by reducing conflict over divorce and extending protection from domestic violence.

Violence in the family

What is domestic violence? The Scottish Executive defines domestic abuse as all kinds of physical, sexual and emotional abuse within all kinds of intimate relationships. Our views of what is an acceptable use of force change. Feminism played an important role in changing views on the use of force in domestic relationships and in making this an issue for family policy. The Scottish Partnership on Domestic Abuse was formed in late 1998 to make recommendations on domestic violence. It focused on violence against children, young people and women (though not against men). With a membership drawn from Scottish local authorities, social services, the legal and criminal justice system and voluntary organisations, the Partnership represents an early effort at joined-up policy-making. The measures taken (following consultation) included a three-year advertising campaign against domestic abuse, funding to support voluntary organisations offering services to victims and funding to Scottish Homes to provide refuge places and more permanent accommodation.

Children may also be victims of domestic violence. The law currently allows parents to use moderate and reasonable physical punishment (or reasonable chastisement) against a child. However, the European Court of Human Rights has ruled that this parental prerogative fails to provide protection from inhuman or degrading treatment and is in contravention of the European Convention on Human Rights. The Scottish Executive is consulting over how the law can be clarified. In its view, smacking and other forms of physical rebuke have a place in disciplining children, though it acknowledges strong public support for the abolition of corporal punishment other than by parents (for example, by childminders or day care providers).

The consultation paper *The Physical Punishment of Children in Scotland* asks two questions: Where should we draw the line as to what physical punishment is acceptable within the family? How do we achieve that position in law?

Dilemmas in family policy

Adapting the law to reduce family conflicts or protect vulnerable people does not address the underlying problems that create stresses in family life and impair the chances of children. A key initiative here is Sure Start Scotland, a programme of early intervention designed to support parents with very young children and so reduce the pervasive and perverse effects of socio-economic inequalities on child development.

Support for parents might include easier access to advice, education in parenting skills, or help in assisting them in stimulating their child's development through play. The core activities of Sure Start include the development of a single gateway through which parents can access advice and support, and outreach services to support parents who lack the confidence to seek services themselves. Such support may help children to take subsequent advantage of the educational opportunities offered through the provision of comprehensive pre-school education.

Though early intervention may help to offset the effects of socio-economic inequality, it does not tackle inequality directly. There is a natural tendency for the Scottish Executive to emphasise its own powers – to focus on education, health and social services rather than social security or the labour market. Here, the capabilities of the Scottish Executive are limited by the fact that social security and employment are reserved powers. Not all key elements of family policy are in Scottish control, showing the need for joined-up thinking across tiers of government.

To promote democratisation, family policy has to widen its agenda. It can contribute to a greater democratisation of family life, for example, by attempting to shift the unequal balance of unpaid work and power in the family between men and women. We need to think more imaginatively about how to include men more in unpaid caring work in the family, as well as about social inclusion strategies to support women at work. Unless we address the thorny issue of the distribution of work and caring in families, the goal of a democratic society based on social inclusion and broad participation in public and family life will continue to prove elusive.

Though current family policies acknowledge diverse family forms, they still emphasise marriage as providing the best stable environment to raise children. Privileging marriage reflects a broader tendency to perceive family issues in terms of problems they pose for society at large. The diversity embraced by New Labour sometimes dissipates when confronted by concerns over the social costs of providing family support (for example, to lone parents or teenage mothers). Supporting diversity can be politically divisive, as the Scottish Executive discovered over its commitment to repeal what was known as 'Section 28' (actually section 2A of the Local Government Act 1986), – the measure prohibiting schools from 'promoting' homosexuality.

How far the Scottish Executive recognises and responds to family issues may depend as much on other agencies as on government itself. If democracy is to function, then civil society has a crucial role to play in making it work. There is a diverse, but linked network in Scotland of voluntary and statutory bodies working in the family policy field. Organisations range from small, unfunded and local to large, professionally staffed and national in scope. Their remits are diverse too: some deal with particular client groups, some with children, others with adult relationships, or carers' concerns. Recent research identified over 800 initiatives on parental support alone, but also that overall there was a lack of strategic planning or evaluation. The need to articulate and pursue family issues is recognised within the voluntary sector, and efforts are being made to develop a more unified Scottish voice on family policy. The Scottish

Parenting Forum was recently set up as a voice for parenting issues in Scotland. Funding is also being sought to set up a Scottish Family Policy Forum.

Family policy in Scotland needs to be given by good information about the circumstances of Scottish families. The Scottish Executive commissioned the Scottish Household Survey to inform its work, and the decision-making of the Scottish Parliament and Scottish local authorities. This is a new and important continuous Government survey that will substantially improve what we know about families in Scotland through regular statistical snapshots.

Addressing the conference 'Raising the Family: Family Policy and a Scottish Parliament', the then Home Affairs Minister reiterated the Government's support for the family as the essential unit of social stability and set out principles to guide family policies. In brief, these involve: focusing on the stability of family relationships, especially where children are involved; recognising family change and avoiding prescription of any particular family model; accepting the importance of each family member and the contribution they can make to family life. Recognition of these principles reflects the emergence of a democratic ethos within families. Respect for them in family policies might reasonably be expected to encourage that ethos in society as a whole.

Questions for discussion

1. **What is your view of the proposals in *Parents and Children*?**
2. **What level of physical punishment of children within the family should be legally acceptable?**
3. **How can family policies encourage a more democratic distribution of unpaid caring work in families?**

Further reading

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Children's rights

KAY TISDALL

As child abuse scandals in residential homes erupted across the UK in the 1990s, adults' failures to protect children hit home. As 33 per cent of young people aged 18-21 chose not to vote in the 1998 Scottish Parliament election, it underlined many young people's disengagement from formal political participation.

As adults hector children and young people to become 'good citizens' and accept responsibilities, they are banned from certain public spaces and their requests for safe play areas and youth facilities are frequently ignored. How serious are adults about meeting the rights of children – to protection, provision and participation?

Children's rights are now on the agenda in Scotland. Legally, children's rights are being inserted into more and more pieces of legislation, from childcare to education. Politicians, policy-makers in statutory organisations and professionals are increasingly speaking about children's rights. The Scottish Executive and Parliament have stated the importance of listening to children's views in matters that affect them. This applies not only to individual decisions but in collective, public decision-making such as the future of the Scottish education system and the physical punishment of children. Youth fora have sprung up across Scottish local authorities and increasing numbers of schools are establishing school councils. Human rights legislation now prohibits age discrimination in particular circumstances. Children's rights are very much on the political and policy agenda.

Can children have rights?

There are classic arguments against children having rights:

- Rationality is essential to have rights of agency or liberty. Children are irrational because they either lack the competence to be rational or lack the experience/understanding to be so.
- Children cannot have rights because they have no responsibilities.
- Rights are not strong enough to protect children – we need to think about adults' obligations to children.
- By giving children rights, adults are abandoning children and causing them to lose their 'childhood'.
- Giving rights to children breaks up families and causes conflict.

Equally, arguments have been well developed to counter these points:

- Psychological research shows that at least older children have very similar competence in rational thinking to adults. Young children show considerable capabilities (for example, the survival of even very young children on the street).
- Is rationality the morally relevant criterion to decide on rights? If rationality is the relevant criterion, why are all people not subject to the test of rationality (both adults and children)?
- Can children have some rights (for example, protection and welfare rights) but not others (for example, the right to vote)?
- Rights are not inextricably linked to responsibilities or duties; rather, rights are dependent on people being human. Children already are expected to, and do, take on responsibilities, such as going to school, helping out with household tasks or taking care of siblings.
- Rights respect children as people, providing them with a form of power that other ideas around obligations do not.
- Rights do not inevitably lead to conflict in all cases and do not preclude other relationships.

Changing ideas about childhood

> A child's immaturity is a biological fact: but how this immaturity is understood and how it is made meaningful is a cultural one. (James and Prout, 1990)

Childhood today is often seen as a precious resource for society's future, ideally a protected state of innocence. Children are to be socialised primarily by their parents, and then by schools, into responsible adults and citizens. The age definition of childhood differs by legislation but virtually all definitions extend to age 16 and many to age 18.

Historical and cross-cultural comparisons, however, demonstrate that such concepts of childhood are not universal or inevitable. For example, historians have shown that societies' views have changed over time. Children are expected to undertake paid labour in some cultures whereas in Europe they are increasingly forbidden to do so by law. Recently, arguments have been made to perceive children and young people as active agents and not just passive recipients of parental or professional care. Children should be seen as human beings and not just 'human becomings' (Qvortrup, 1994).

The reality of children's rights

The philosophical debate about whether children can have rights may rage but, legally, there is no doubt that they do. In 1989 the United Nations General Assembly approved the final version of the UN Convention on the Rights of the Child (UNCRC). The Convention has three key principles expressed in the following articles:

Article 2: All rights guaranteed by the Convention must be available to all children without discrimination of any kind.

Article 3: The best interests of the child must be a primary consideration in all actions concerning the child.

Article 12: A child's views must be considered and taken into account in all matters affecting the child, subject to the child's age and maturity.

In total, the 54 articles of the Convention cover civil, economic, social and cultural rights. A child is defined as up to the age of 18 years, unless a child is considered an adult legally at an earlier age.

The Convention is the most ratified of any UN Convention, with only Somalia and the USA failing to do so. Ratifying countries commit themselves to implementing the articles (subject to any reservations they make at the time of signing). They must report regularly to the UN Committee on the Rights of the Child, which is composed of experts from different countries. The UK has now submitted two reports – the first in 1994 and the second in 1999. The UK was sharply criticised by the UN Committee, following its first report, and is now awaiting the Committee's next response following its second report.

The Children (Scotland) Act 1995 was deliberately written so as to incorporate certain rights of the UNCRC. For example:

- Parents have parental responsibilities first and parental rights only because of those responsibilities (thus underlining a child as a person rather than a parent's property);
- When making a 'major decision' on parental responsibilities, any parent must have due regard to a child's views;
- When courts, children's hearings or a local authority taking care of a child make a decision, they must: take account of the child's views and the child's best interests must be the paramount consideration (there are exceptions to these principles);
- A child's best interests into adulthood must be considered in adoption decisions;
- The Act underlines that children with general understanding of what it means to do so can be legally represented in civil cases.

It is doubtful that most parents are aware that they should be consulting their children. But for professionals – whether in courts, social work departments or local authority planning – the Act's requirement

to consult children has had considerable effect on practice. New methods have been designed in legal and administrative procedures to try and ensure that children and young people can effectively state their views. Local authorities have experimented with different ways to involve children and young people in service planning.

Even though children spend most of their waking hours in schools, the education system has typically been seen by those writing on children's rights as being one of the least likely places for children's rights to be recognised and promoted. Good practice has been demonstrated by research studies but the overall picture is one in which schools concentrate on the education of all children and thus clash with the more individualised child rights perspective of both the 1995 Act and the UNCRC. For example, the extent of school exclusions has been criticised (and not only by the UNCRC). Children report a sharp sense of unfairness in many of their school experiences, valuing greatly a teacher who is perceived as fair and respectful of them. The increasing focus on academic targets (whether literacy or numeracy or the attainment of exam grades) has been accused of forgetting the 'whole child' – their psychological, physical and social well-being.

To some extent, the recent Standards for Scotland's Schools Act 2000 brings the Scottish education system in line with the UNCRC. It contains a new right of school-age children to school education. School education must be directed towards developing a child's 'fullest potential'. In doing so, a child's views must be considered in significant decisions. Children under the age of 16 will have a right to appeal against their school exclusion, if they have legal capacity. Children who do not attend school will have increased rights to education. The challenge will be to make these innovations a reality in schools – and not just those that already demonstrate good practice but for all children in all schools.

Taking children's views seriously?

While the commitment to encourage participation now exists (at least amongst most politicians and policy makers), knowledge of how to do so effectively and systematically does not. A recent survey by Children in Scotland had a high number of responding organisations (voluntary and statutory), with 66 per cent seeking to involve children and/or young people in both internal and external decision-making. But concerns were raised about the lack of sustainability of statutory initiatives or voluntary organisations, the lack of evaluation and training, and gaps in involvement for children under the age of five, children with disabilities/special needs and those from black and minority ethnic groups. Further, there were significant risks of turning children and young people 'off' participation because they saw themselves as being used, that consultation was 'tokenistic' rather than meaningful.

The promotion of children and young people's participation appears to be at a critical point. If adults do not learn and work with children and young people to ensure that participation is meaningful, children and young people will opt out and become (even more) cynical about participation.

Two young people made comments about consultation in a recent report:

> Children in Britain, especially with politicians like X, are just used for the publicity. When we went to the Labour Party conference Y came with the press and she treated us dead sarcastic, just to get publicity.
>
> [names not included by this author]
>
> I think they [the government] are just starting to take us seriously... some of them are starting to realise that some of the decisions they make do affect us, so they want to do what is best for us.
>
> [names not included by this author]

Which young person's view will become the dominant one in Scotland?

Questions for discussion

1. **What are the most effective ways to teach children about citizenship?**
2. **Consider an aspect of your community, work or home life. How would you describe the involvement of children or young people:**
   - **manipulation**
   - **decoration**
   - **tokenism**
   - **assigned but informed (Adults decide; children know who decided to involve them and why. Adults respect young people's views.)**
   - **consulted and informed**
   - **adult-initiated, shared decisions with children**
   - **child-initiated and directed**
   - **child-initiated, shared decisions with adults?**
3. **What would need to change to involve children and young people more in Scottish society today?**

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Scottish arts and common culture

CAIRNS CRAIG

The 'embodied argument' of Scotland

The Scottish-born philosopher, Alasdair MacIntyre, has described institutions as 'embodied arguments'. Every institution is marked by the moment of its foundation as the embodiment of a historical argument and the expression of a set of values. Institutions survive by a continuous adaptation of their argumentative base, a continuing fulfilment of their original argument in a new context; the history of an institution is the history of its development of the argument on which it was founded and the strength of the argument is reflected in the institution's ability to continue to sustain its fundamental values in changed conditions. At some point, of course, an argument may become redundant or irrelevant and the institution founded on it will itself become redundant or will have to reorganise itself around a different and more relevant position.

A nation, too, is an embodied argument: it is a nexus of values and a forum for debate which can only continue as long as the participants are agreed that the nation itself embodies sufficient common purpose and sufficient shared identity not simply to dissolve into its component parts. National identities, however much they may be transformed by the changes of history, are created by the to-and-fro of a continual return to the original argument of the nation and the effort to make some aspect of it of continuing relevance to the present, and, in the present, the effort to confront the issues of this historical juncture within the values inherited from the nation's organising impulse.

The original 'argument' of the Scottish nation was, of course, its argument with England. The refusal to submit to the military, cultural and economic forces which would incorporate it into a 'greater England' fused the elements of Scotland into a single nation: 'resistance' was – and perhaps still is – the foundation of its national identity. Of course, all nations are born out of conflict and therefore in a sense out of the resistance of others' values, but in Scotland the resistance is centuries long: maintained militarily before 1603, maintained religiously through the seventeenth century, maintained culturally through the eighteenth century, and maintained in the long fight over independence of its central institutions – church, law, education – in the nineteenth and twentieth centuries. The unavoidable contiguity of England, the resistant partnership in the British Empire, the projection through London politics and London society of Scottish values – from the influence of the Celtic Club of London on Scott's construction of George IV's visit in 1822 to the formalisation of Scottish country dance by the Caledonian Society in the 1840s to the establishment of the Labour Party in the early 1900s – all entwined Scottish values with English culture in a relationship which made resistance the inevitable cost for continuing Scottish identity.

Identity as resistance

The resistance is the foundation of 'Scottish' – as opposed to Gaelic – literature in Scotland: John Barbour's *The Bruce* and Blind Harry's *The Wallace* are poems written in Scots as a formal acknowledgement of the language of the people on whose behalf the leaders fought. It is that foundation that is recalled in Burns's 'Scots, wha hae':

> *Scots, wha hae wi' WALLACE bled,*
> *Scots, whan BRUCE has aften led,*
> *Welcome to your gory bed,*
> *Or to victorie.*

In Burns's poem it is significant that the emphasis is neither on Wallace nor Bruce but on 'Scots': the leaders are only an expression of the people and those Scots are ruled not by Kings but by law:

> *Wha for SCOTLAND'S king and law*
> *Freedom's sword will strongly draw,*
> *FREE-MAN stand, or FREE-MAN fa'.*
> *Let him follow me.*

The 'free-man' who follows his king in the 'law' rather than in the person is Burns's dramatisation of the traditional view of kingship in Scotland – acknowledged in the Declaration of Arbroath and argued for most cogently by Buchanan, the great Latin humanist poet of the sixteenth century and tutor to James VI – that kings are subject to the people, who are justified in overthrowing them if they fail to maintain the law or the independence of the nation. The literary language of 'Scots', founded in those celebratory epics of the Wars of Independence, is an embodied argument for the priority of ordinary people over their rulers, and the significance of the lower classes as the maintainers of 'independence'.

When Burns celebrated that class sense of independence in 'For a' that and a' that' it was also a commitment to a national tradition:

Ye see yon birkie ca'd a lord
Wha struts, and stares, and a' that,
Though hundreds worship at his word,
He's but a coof for a' that.
For a' that, and a' that,
His ribband, star and a' that,
The man of independent mind,
He looks and laughs at a' that.

The 'man of independent mind' was a Scotsman, speaking Scots, who could, from his own traditions of independence, then assert a universal wish:

For a' that, and a' that,
Its coming yet for a' that
That Man to Man the warld o'er,
Shall brothers be for a' that.

The *égalité, fraternité* of the French Revolution was simply an alternative formulation of the very bases of Scots tradition, one which had already been celebrated in Sir David Lyndsay's *The Thrie Estaitis* in 1550 with its demand that the state attend to the condition of 'the pure cottar being lyke to die, Haifand young infants twa or thrie', whose treatment by the church 'never was foundit be ressoun'. It is from this tradition that Burns's 'The Cotter's Saturday Night', the most popular poem of the Kilmarnock edition in the nineteenth century, draws its strength: the peasant family is transformed into the bearer of eternal truth, its vernacular speech as much at one with the Word as the Scotch airs of the Psalms:

Compar'd with these, Italian trills are tame;
The tickl'd ear no heart felt raptures raise;
Nae unison hae they, with our Creator's praise.

Often criticised for its mixture of Scots and English and for its sentimentalising of the conditions of the poor, Burns's poem is an assertion that true culture is the culture of the folk, that true values are rooted in the vernacular speech of the common people.

That Burns's poetry should offer such sentiments and that he should be the 'national bard' is no accident: the 'embodied argument' of the nation finds its utterance in Burns's poetry and that poetry voices the value system around which the nation formed itself. If the Enlightenment thinkers of the eighteenth century were concerned to avoid 'Scotticisms' in their writing, their very condition demonstrated the extent to which Scottish culture was and remains a 'vernacular' culture, rooted in the life of the common people, even when, as in the case of Walter Scott, the artist himself aspires towards consorting with the aristocracy. For in Scott's work, as in Scottish art in general, it is the life of the common people – the vernacular culture – which is fundamental: Scott, like Burns, was to build his art from his collecting of folk literature, and to develop his narrative style by combining the formal strategies of written narrative with the very different strategies of oral tales.

The Scottish tradition

Such combinations of the forms of high art with the common culture of the folk are the distinctive characteristic of the Scottish tradition. It can be seen in music, with its use of folksong (and Burns himself was, after all, a collector of folk music as much as he was poet), and in theatre, which continues to derive much of its energy from popular forms, such as pantomime, as well as vernacular speech, whether that vernacular be the speech of the modern working classes (as in the work of the 7:84 Company), or the Scots of the historical in plays such as Maclellan's *Jamie the Saxt* or Lochhead's *Mary Queen of Scots Got her Head Chopped Off*, or the literary Scots of the translation from the classics which have formed such a staple of Scottish theatre. And in the visual arts, as Duncan Macmillan has pointed out, no painting more fully represents the Scottish tradition than Wilkie's version of *The Cotter's Saturday Night*, with its focus on the communal life of the peasant family. The greatest of the nineteenth-century Scottish artists, Sir Henry Raeburn, may have painted lords and ladies and Highland chiefs, but his portraits isolate them as individual human beings only to suggest that their real virtue – as in the portrait of the fiddler Neil Gow – lies in their commitment to a social world where the ultimate virtue is a 'serenity which disposes the mind to friendship, love, gratitude, and every other social affection ...and expand[s] the heart to all the interests of humanity' (as Henry MacKenzie, author of *The Man of Feeling*, was to put it).

This vernacular emphasis is underpinned throughout the eighteenth and nineteenth centuries by the 'common sense' tradition of Scottish philosophy – with its emphasis upon the commonality of our experience – and by the theory of moral sentiments as presented by Adam Smith, whose conception of our moral life is based fundamentally on our 'fellow-feeling with the sorrow of others' and our ability to have fellow-feeling with 'any passion whatsoever'. The universal commonality of our shared humanity can only be fulfilled if it is able to include identification with and sympathy for the 'common' or the lower classes. The communal basis of our feelings has been the burden of Scottish philosophical tradition from Hutcheson through Hume, Reid and Smith (however much they may have thought they disagreed about the metaphysical foundations of their theories) to Scotland's major twentieth-century philosopher, John Macmurray. Macmurray's thought challenges the western traditions that regard humanity as either isolated egos (as in the traditions of Cartesianism) or as the products of a deterministic social environment (as in Marx). Macmurray develops in his philosophy the notion of the self as individual only in and through its communality rather than in defiance of it:

> 'the original unit which is developed in this way is a relation of persons. It is the unity of common life. Personal individuality is not an original given fact. It is achieved through the progressive differentiation of the original unity of the "You and I"'.

The commonality of our political and cultural life is the necessary outcome of Macmurray's philosophy – 'the capacity which is processed by a person...to feel and think and act, not for himself but for the other' – a commonality which requires us to recognise in the 'other' that which makes us distinctively ourselves. Such a philosophy is rooted profoundly in the embodied argument of Scottish cultural history, in the recognition of the self's involvement in a common culture whose commonality is the foundation of all other values.

Given such a tradition, it is not surprising that the great renewals of Scottish artistic life come regularly from a return to the sources of folk or vernacular or common culture. The

Scottish Renaissance movement of the early part of the twentieth century sought to inspire the arts in Scotland by revitalising Scots (MacDiarmid, Shepherd, Gibbon) or by recovering and redeploying the traditions of Gaelic culture (Gunn, MacLean); the 'new' Renaissance of the late twentieth century has been inspired by the recovery of vernacular (Leonard, Kelman, Welsh) and by the effort to redefine the nature of the community within which we ought to live and the forces which have been destroying that communality (Gray, Galloway, Kennedy). The notion of the 'democratic intellect' – whatever the truths or the falsities of its historical reality – has been significant within these developments precisely because it focuses the relationship between individual intellect or artistic achievement and the democratic communality within which such individual achievement has to take its place. The 'intellect' of the artist and the thinker is fulfillable only in and through the community upon which it is dependent. It has, therefore, to be responsible to that community. Thus the resistance in so much Scottish art to the notion of isolated genius, from the eighteenth-century moralists with their 'distrust of genius and high rank', as Nicholas Philipson has put it, to the late twentieth-century distrust – in the works of Muriel Spark or Robin Jenkins or Alasdair Gray or James Kelman – of the artist as separate from and different from the ordinary human being: art and thought are simply another form of work, the artist a worker in the community. The spread of the community arts movement is, therefore, not simply an effort to counteract the depersonalisation of modern society – though it is that – but an effort to enact through modern institutions the very principles of an enduring Scottish tradition.

The Scottish tradition in the arts is one that involves a deep sense of the artist's role as articulator of the folk, and of the folk as the enduring rock upon which resistance to incorporation into other cultures is founded. In the era of the multinational corporations, international media empires and the melting pot of a worldwide popular culture, it is to that foundation in the local and the particular, in the accent and the voice of the folk, that the arts in Scotland must find their distinctive role – a role which is necessarily that of an assertion of the maximum extension of people's power and control over institutions which, if they are true to their own traditions, are the embodied arguments of a democratic folk.

Questions for discussion

1. **In what ways should Scottish identity today be based on resistance? Resistance to what exactly?**
2. **Who is 'the other' in Scotland now? How can the arts respond to social and political exclusion?**
3. **Why do the arts matter in the process of democratic renewal? How could they contribute more creatively and effectively to it?**

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Sport and leisure

JOHN HORNE

Introduction

What has been the place of sport and leisure in Scottish society? For some the answer may be obvious – sport, and leisure more widely, are what people do when they want to escape from the cares of the world. Leisure is what people choose to do in their free time. It is about people's freedom. Sports form one of those trivial pursuits, along with the visual and performing arts, drinking, television and exploring the 'great outdoors' that enable people to relax when they are free. Sport may be something they participate in, watch or gamble on. So what can a consideration of sport and leisure contribute to a discussion about democracy and citizenship in Scotland today? How can a deeper understanding of sport and leisure inform Scottish development?

For most of its existence (since the last quarter of the nineteenth century), modern sport has been a repository for social class, gender, racial and ethnic prejudice and other forms of social exclusion. Consideration of sport in this collection might therefore be interpreted as offering an anti-image. However, discussion of the social role and value of sport often contains a considerable amount of wishful thinking about its potential for extending – in the realm of play, for example – the democratic values and processes so often lacking in public life. I would argue that sport generally reflects society, although it is built upon contradictory foundations and this, of course, is partly what makes it so interesting.

Fun and seriousness in sport

Sports are a fusion of freedom and constraint, fun and seriousness. Sports people spend a lot of disciplined time training their bodies to have the greatest freedom of movement during competition. People get a lot of pleasure out of sport and many take it with the utmost seriousness. Most sports combine the opportunity for a qualitative appreciation of skill with a quantitative focus on the statistical record.

While sport might be considered one of the great democratic levelling forces in society, it is marked by a considerable amount of authoritarianism. Much of the rhetoric of sport is about involvement and participation, but there are great imbalances between the ownership and control of sport. Interest in consuming sport in the media – which is high, given the enormous amount of space devoted to it in newspapers, radio and television – does not automatically convert into actively participating in sport in Scotland. The Scottish Health Survey (1998) showed that the prevalence of physical inactivity amongst the Scottish population as a whole is greater than smoking or obesity. As with health and mortality (death) rates, there are clear gender differences: men and women start to become inactive at different ages. While men's activity rates decline steadily from age eight or nine, women's activity declines after the age of 45. Interestingly, physical inactivity occurs just as much amongst the affluent as those living in poverty. People of higher social status are not necessarily more physically active than those in the lower social classes. Studies of school-age children show that prevalence of physical inactivity is greater than teenage pregnancy, smoking, obesity, drug use or HIV. Once again, differences between boys and girls start early in life.

Trends in sport and leisure

Three broad social trends since the emergence of modern sport and leisure in Scotland at the end of the nineteenth century help demonstrate the difficulty of sustaining the claim that sport and leisure are simply about freedom of choice.

First, there is the growth of commodification, or the growth of sport and leisure as part of capitalist consumer culture. For example, within a few years of being formed as a charitable organisation to raise money for the poor in the East End of Glasgow, Celtic Football Club had been taken over

by businessmen in the local Irish Catholic community and was making a handsome profit. Leisure, in particular, has increasingly become an item to be bought and sold on the market rather than an experience growing out of family and community life. In the past two decades especially, the growth of a leisure industry featuring the production and sale of leisure experiences in which the consumption of merchandise is central has influenced the growth of professional sports like football. While the amateur ideal lives on as an ideology, today sport and leisure are heavily influenced by the commercial and profit-seeking initiatives of transnational companies.

The second long-term trend has been privatisation. This refers to the way that leisure has become more and more home-centred, partly with the aid of technological innovations such as the telephone, radio, television, personal computer and internet. It also helps to explain the decline of live attendances at football grounds (the Old Firm of Celtic and Rangers being the exception) and other sports events as home-centredness, stimulated by the growth of home ownership, which has led to do-it-yourself home improvements becoming a major competitor for people's leisure time. The result, according to some writers on leisure, is increased *individuation* – a sense of ourselves as complete individuals with our own highly personalised tastes and selves expressed through our leisure consumption choices.

The third trend that writers on sport and leisure have noted is rationalisation. This refers to the search for apparently scientific grounds to legitimate and guide our leisure activities. Health experts in Scotland show continuing concern about the diet, exercise and lifestyle choices of many young, middle-aged and older Scots. Young, relatively wealthy professionals fresh from a day spent in front of a computer terminal may choose to go to a leisure centre where they can have their lives further dictated to by technology during a workout session. In addition, recreation professionals have now expanded their control over people's leisure time. Sport has become more performance-oriented – even if it is only a matter of outperforming our 'personal best'.

Themes and perspectives in the social science of sport and leisure

Underlying each of these trends are not only the choices and actions of people going about their free time activities but also those of larger institutions such as government and the market. The sociological study of leisure asks questions about how much leisure people have; how they might use it; how they actually use it; why they behave in this way; and how this relates to social class, age, ethnicity and gender.

The history of sport reveals the range of roles it can play in society, and the ways it has been used at various times to promote one view or another of society. It has been seen as a way of keeping people happy or, alternatively, a distraction from radical politics. The attempt to control people through leisure has meant that for some political radicals sport has been seen as something to be condemned. Another perspective on sport and leisure recognises its contradictory nature. Since the state and the market regulate leisure, whether in terms of 'law and order', 'public decency' or some other judgement about what is legitimate leisure, it is obviously not simply that people can do whatever they want in their free time. Yet it is also worth noting that individual rebellion and collective resistance have been a feature of the history of leisure.

The first campaigns over public access to the countryside for rambling, walking and mountaineering, for example, got off the ground in Scotland in the mid-nineteenth century. These were followed by even fiercer struggles over the 'right to roam' in England in the 1930s. In this sense, leisure is part of the wider struggle for control of

resources, space and time. Sport, and leisure cultures more widely, can therefore be understood as products of contested cultural values and meanings. This view of sport and leisure as cultural contestation provides a useful perspective for understanding the different values and meanings of sport.

Searching for the nation's game

Sport can play a role in defining the nation. Sports which some might consider typically Scottish are curling, golf, shinty and rugby union. It has been argued that curling was the most popular sport in Scotland at the beginning of the nineteenth century and that therefore it was the first true national game of Scotland. Golf has been used to foster one of the many myths about Scottish society: that it is an inherently egalitarian and democratic society. It is claimed that in Scotland anyone can play the game that around the rest of the world signifies wealth, status and privilege. However, while in comparison with other parts of the United Kingdom municipal provision of golf courses is high in Scotland, considerable gender imbalances continue to influence access to the sport. Moreover, membership fees for private clubs can be prohibitively expensive. Shinty, a cross between hurling and hockey, could claim to be the most distinctive of Scottish sports, but it is played mainly in the Western Isles and Highlands and is therefore insufficiently widespread to be considered a truly national game. Similarly, rugby union, which is most popular in Edinburgh and the Scottish Borders, might never have been considered a national game were it not for the adoption by the Scottish Rugby Union of the nationalist song 'Flower of Scotland' as a pre-match anthem for the national team in the 1990s. In terms of media coverage and public attention, it is, of course, association football that remains predominant.

Urbanisation, industrialisation and the growth of a new class structure saw football grow rapidly in popularity at the end of the nineteenth century, and it has been central to popular culture in Scotland ever since. Four features of Scottish professional football stand out. First, its main competitions are dominated by two clubs from one city – Glasgow Rangers and Celtic. Second, some clubs, especially Rangers and Celtic, have been firmly linked to particular ethnic groupings and traditional antagonisms – Protestant and Catholic – which also exist in the wider society in other institutionalised forms (churches and schools for example). Third, Scottish clubs have been economically dependent on the transfer of players to England. Fourth, compared with most other countries, Scotland has a lot more clubs in its leagues: the population of about five million people has 42 league clubs compared with England where 92 clubs play in a population of some 50 million. In addition, today's professional clubs are highly dependent on television broadcasting rights and sponsorship deals. Since it became a mass spectator attraction, the game, and particular teams, have been connected with civic and regional rivalry, sectarianism and social class and gender differences as well as national identity. Despite encouragement to involve girls in the sport, it largely remains a male preserve. Evidence also suggests that, just like south of the border, problems of racism exist in Scottish football. Touched and troubled as it has been by so many aspects of social life in Scotland, football is often seen as the 'national game'. It is a good example of sport being used as a forum for cultural contestation.

Conclusion

If sport and leisure are to have a distinctive role in democratic renewal in Scotland, there is clearly much work to be done. There have been attempts by football supporters to gain some control over decision-making at their clubs, and quite a lot of public money is provided by the Health

Education Board Scotland to encourage more healthy, active lifestyles, and physical educationalists attempt to do the same. Yet the closer you look at sport and leisure activities, the more clearly you realise that they are never 'only a game'.

Much consideration of citizenship focuses on the means rather than the ends of citizenship. However, any full account of citizenship must involve thinking about where human development in the round is heading – the character of human beings and their relationships to one another. The question of what kind of people we are to be must include consideration of what we do when we engage in apparently freely chosen activities. People have some choice in sport and leisure, but this choice is shaped by social influences often beyond their immediate recognition.

Questions for discussion

1. **How much of your leisure time is spent watching television or using other forms of mass media? Keep a diary over a period of one week. Ask your family members or friends to do the same and compare results.**
2. **What have sport and leisure got to do with democratic renewal in Scotland?**
3. **Is commodification influential in all Scottish sports? Compare football and two other sports.**

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The politics of technological change

TOM CONLON

At first glance perhaps, technology and politics seem poles apart. Technology is the stuff of brainboxes, dedicated people driven only by a love of science and invention. Politics is the stuff of power, government and ideology. Surely technology, like sport, should be kept out of politics? But on reflection, this idea is hard to sustain. In Scotland as elsewhere the headlines appear too often that point in a different direction: 'Eco-warriors Destroy GM Crops'; 'Salmon Farming Harmful Say Protesters'; 'Internet Terrorists Bombard E-commerce Web Sites'. Mostly, of course, the reporting of technology is less dramatic – but these flashpoints reveal that to some extent at least, the technological is political.

Political shaping of technology

Technology is the application of science to change some aspect of the environment, such as the workplace, home or countryside. Its fundamental concern is with the design of tools. Humans differ from other living species in that their tool-building has always been ceaseless and ingenious, from levers to lathes, from matches to microchips, from railways to robots. Any attempt to change the environment must reflect beliefs about what changes are desirable. Different groups in society have different interests and there is always the potential for a clash of ideas about whose interests a particular technology will serve. Thus the technology that a society develops and the way that technology is used reflects not just the inventiveness of technologists, but also the outcome of a political process.

The theme of this paper, then, is the political shaping of technology. Although the nature of the 'shaping' is complex, it is clear that technology impinges upon major areas of policy including health, ecology and equality. Increasingly, technology issues are coming to the fore of political debate.

History and conflict

Past history provides plenty of evidence that technology and politics have always been closely related. We even name the periods of our ancestors according to how their tools were fashioned: the stone age, the iron age, the bronze age. The birth of industrial capitalism is called the steam age and the period that we are now in is sometimes called the information age or the computer age.

The conflicts that have marked human history have always been partly decided by technology. Dominant nations and ruling élites have usually been those with superior weaponry. Today, the taxes of Scottish citizens finance not only hospitals and schools but also the missiles, fighter jets and warships that have played a decisive role in conflicts in Iraq, Kosovo, Afghanistan and elsewhere. Technology research of many kinds, not just weapons research, depends very heavily upon military funding.

Civil conflict has often centred around how technology is used, by whom and for whose benefit. The attacks mentioned earlier by protesters upon GM crops and e-commerce web sites might be said to continue a Luddite tradition, following the nineteenth-century weavers of that name who sought to destroy the steam-powered knitting looms that arrived with the industrial revolution. However, the use of the word 'Luddite' today as a pejorative term – to describe a supposedly irrational opposition to technology – is historically inaccurate. The Luddites were rational people who opposed not technology, but its abuse to promote the interests of one social group against another.

Unpredictable consequences

Although research in science and technology has usually been sponsored by ruling élites, they have not always been best pleased with the results. A recurring property of technology is that its full range of uses and their implications can be very hard to foresee. An illustration is the church's early sponsorship of astronomy. The invention of the telescope led to the discovery by Galileo, a personal friend of the Pope, that

the earth was not in fact the centre of the universe. This contradicted biblical orthodoxy and threw the church into crisis. Galileo was arrested and his book was banned, but thanks to another technological development – Gutenberg's invention of the printing press – it was widely read by scholars. Ironically, Gutenberg was a devout Catholic who would have been horrified to learn that his machines were instrumental in the distribution of Galileo's heresy. The church's error in condemning Galileo was finally acknowledged by Pope John Paul II in 1992.

Plenty of other examples show that our human inventiveness is more impressive than our ability to forsee the consequences. The internet owes its origins to the US Defense Department which sought to design a computer network that, lacking a central hub, could withstand nuclear attack. Alexander Graham Bell, inventor of the telephone, initially presented it as a device for broadcasting music and public speeches, in other words a kind of 'cable radio'. He believed that only within this niche could his invention survive competition from the then dominant telegraph system. The computer giant IBM dominated the market until the 1980s when, after initially dismissing the new personal computers as mere toys, it then hurriedly produced its own model using operating software leased from Bill Gates' fledgling Microsoft company. From that crucial toehold, Microsoft grew to become the world's most powerful company – while IBM withered.

These cases all point to the same conclusion: that technologists and their financial backers strongly influence, but cannot fully determine, the outcomes of technology. 'New' technologies such as the telephone, the internet and the personal computer have all been shaped partly by their markets and users (who have sometimes appropriated them in unexpected ways) as well as by complex interaction with already existing technologies.

Health, safety and ecology

Another source of unpredictability may be the uncertainty of a technology's scientific base – or to put matters less charitably, by the willingness of vested interests to pursue a technology before its possible consequences have been properly researched. A tragic example is the drug thalidomide. Despite doubts about the drug's safety which prevented its sale in the United States, thalidomide was promoted in Europe for the treatment of nausea during pregnancy. In 1961, thalidomide was identified as the source of congenital malformations, particularly a severe abnormality of the arms. About 10,000 such children were born worldwide. The outcry that followed forced governments everywhere to tighten regulations related to drug testing.

Much recent concern has centred on the technology of food production. The outbreaks of salmonella in egg production and BSE in cattle have demonstrated that techniques claimed to be safe were in fact injurious to public health. The strength of opposition to the genetic modification of foods has shown that there are limits to the public's willingness to accept the testimony of experts – especially, one might guess, those who are on the payroll of biotechnology companies.

The growth in forms of 'green' politics reflects concern about the unpredictable effects of technology upon the ecology of the planet. Probably the most far-reaching example is global warming. In the 1980s and 1990s it became clear that temperatures on the planet were increasing, a trend which, if continued, could lead to partial melting of the polar icecaps and a major rise in sea level, along with other severe environmental effects. The phenomenon is still not completely understood but evidence strongly points to damage caused to the earth's atmosphere by a combination of fossil fuel burning and the release of chlorofluorocarbons (CFCs). Cars are

strongly implicated but so too are many technologies that had been thought innocuous, for example refrigerators and aerosol sprays.

Markets and social justice

As noted above, technologies are shaped partly by their markets and users. It is sometimes claimed that market mechanisms (such as 'supply and demand') are sufficient to ensure that technologies develop in a way that matches consumers' needs while rewarding inventiveness. But the tainted record of technology in relation to health, safety and ecology undermines this claim and, in fact, there are at least three reasons why we should worry about relying upon unregulated markets in relation to the development of technology.

First, markets reject unprofitable products and they do this regardless of the level of human need. Thus the pharmaceutical industry developed Viagra, the 'virility' drug which will generate billions of pounds from affluent western markets but save not a single life, and neglected research on the treatment of tuberculosis, a disease that threatens the lives of 16 million (mainly Third World) people.

Second, markets can be manipulated by powerful producers. Dominant players can eliminate competition and stifle innovation in order to advance their own selfish interests. They can do this by exploiting an early lead with a new technology, by clever advertising or by ruthless trading practices. An example that reflects all three of these practices is again the Microsoft Corporation. Around 90 per cent of the world's personal computers nowadays depend upon the company's 'Windows' operating software. In November 1999 Microsoft was found guilty in US courts of using its position to damage competing firms and harm consumers. Richard Blumenthal, a spokesman for the US Justice Department, described Microsoft as 'a predator that has misused monopoly power' and demanded that the company should be broken up. Only the unexpected election of George Bush as US President saved Microsoft from this fate.

Third, although the market may play to the consumer, it is not always the case that the consumer wants or gets the best. Markets do not necessarily advance cultural standards. For example, the internet today arguably serves less as a palace of culture than it does as a shopping mall, and a seedy one at that (the net's most sought-after commodities are pornography and pirated music). Similarly, digital broadcasting will bring hundreds of TV channels into western homes but as ever more broadcasters fight for a limited pot of advertising money, the quality of programming will surely decline.

The knowledge economy

Technology is deeply implicated in the main trends affecting the economies of developed countries, notably the decline in manufacturing industry and the rise of the service sector. Governments have promoted the notion of a 'knowledge economy', where economic value is found not in concrete objects but in intangibles like human expertise, computer software, services and relationships. Politicians in Scotland as elsewhere have sometimes presented the knowledge economy as a kind of blueprint for national regeneration.

Certainly the 'core' knowledge economy sectors, specifically information technology and biotechnology for which Scottish universities are abundant in talent, do offer tremendous potential. However, a sense of perspective is necessary. Scotland has around 20,000 software specialists spread across companies, universities and research institutes. Valuable though they are, these jobs represent less than one per cent of all Scottish employment (for comparison, over 300,000 Scots work in direct manufacturing). It requires a large leap of the

imagination to generalise a national blueprint from such a small base. Scotland does not possess a single large indigenous IT company – we have no Nokia, Apple or Sega – and much of what is called 'Silicon Glen' is actually dominated by 'screwdriver' plants that offer mainly unskilled or semi-skilled employment. The foreign corporations behind these plants operate in a global marketplace and will relocate opportunistically, as was demonstrated recently when Compaq shed 700 jobs from its Erskine factory following a decision to transfer PC production to Eastern Europe. Other huge recent job losses from Motorola, NEC, Seagate and other Silicon Glen companies have painfully underlined the point.

The global communications infrastructure that is usually claimed to support the knowledge economy is actually a double-edged sword. Thanks to the internet, a software specialist based in a Hebridean crofthouse can bid for a programming contract on something like equal terms to one based in Edinburgh. But the fact that the marketplace for skills is now global means that a large pool of expert programmers based (for example) in India could be bidding for the same contract. On the internet, the distances between Delhi, Edinburgh and the Hebrides are hardly noticeable. The high skill levels required for software jobs probably mark them out forever as an élite preserve but even the élite may feel the chill winds of globalisation.

Critics of the knowledge economy doubt that it can deliver more than a thin layer of high-wage, high-skill jobs. They are not impressed by the growth in call centres and fast food outlets, for example, and they worry that the government's zealous drive for IT everywhere – in schools for example – is the pursuit of a modern illusion.

Conclusion

Technology is sometimes claimed to represent progress. However, it should be clear that such claims require critical scrutiny. The nature of progress is always contestable. We vote for politicians, not for technologies, but technologies are crucial instruments of social change and somehow they must be included in our political reckoning. That will be an important task in Scotland's democratic renewal.

Appropriate technology has the potential to improve the quality of life. There is no reason why the advances of science should not be exploited to ensure that everybody on the planet has enough to eat, a fair chance of good health, and access to culture and opportunity. No reason that is, outside of politics. The way we design and use our technology seems inseparable from our beliefs about how the world should change, and in whose interests.

Questions for discussion

1. **Can new technology be a negative thing in itself or only in regard to the uses to which it is put?**
2. **How can technology be used either to promote or to subvert democracy in Scotland?**
3. **A mobile phone mast is erected close to a primary school in your neighbourhood. Some evidence exists that such masts are harmful to health. Identify the various parties who have interests in this situation and how any conflict might be resolved.**

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Learning, information technology and democracy

KEITH STENNING

> *A democracy is more than a form of government. It is primarily a mode of associated living of conjoint communicated experience.*
>
> (John Dewey)

Information and communication technologies are changing many aspects of our culture, education among them. A prevalent view of education is that it is about pouring information into people's heads, and the new technologies allow faster pouring than ever before. The whole of the National Library, for example, could be conjured onto the screen of every learner, not just print but glorious multimedia – a truly moving image. In fact, the pouring model of education was already a whipping boy in 1916, and Dewey had realised that this boy did not go away when whipped. Dewey proposed to replace the pouring model of education with one based on the creation of shared experience. What might this mean for a new democracy amid new technology?

Dewey wrote during a time of massive immigration into the United States, which challenged education to create community out of incredible diversity: community that could vote rationally on perceived common interest. The answer to this challenge was comprehensive state education, and that answer served for a century. But the question has become timely once again. The community that Dewey proposed is widely perceived to have flown apart. Spatial segregation by increasing wealth disparity assures incomprehensiveness of education.

New technology: Utopian or distopian futures?

Is information technology going to put community back together, or accelerate its disintegration? Information technology, like all human inventions, offers both Utopian and distopian futures. Technology can put the National Library on every desk in Lerwick, but it can also exclude the learner next door. It can find the info-needle in the haystack of distractions, or bury the learner in info-junk. It can empower learners to express their own lived perspective on their world, or reduce them to passive consumers of the traces of others' experiences. It can democratise the ownership of the means of communicative production, or allow a few monopolies to control who sees what, when. It can open government to public scrutiny, or it can allow the secret police and their friends in the marketing department into the intimacies of our every transaction on an unimagined scale.

Why is learning at the core of any understanding of technological change and democracy? Learning changes what we know, but it also constitutes communities. Once we know something, we are among those who know, and we can recognise other adepts (the cognoscenti), and those that are not in the know. By changing the groups we belong to, learning also changes what we can do, not only when it is practical learning. Learning changes the way we can act and particularly the discourses we can engage in. Learning therefore has social effects as well as cognitive ones.

Two characteristics of the new technologies which especially interact with social and cognitive aspects of learning are the effect on distances and the potential for machine interaction. When our communicative reach was entirely geographically determined, we were in the village, with all its scope for intimacy and for tyranny. Once technology liberates us spatially, we are free to associate with as tiny a special interest group as we can find. Left-handed Morris Minor drivers unite on the net! You have only all the rest of us to shake off! And with spatial liberation comes scope for imposture, just as long as we can keep up a virtual facade. As the dog at the keyboard says to his friend, 'They don't know you're a dog on the internet.'

But what of the need to communicate across the divides of class, gender, race... and make of car? What happens when we

tire of trying on masks and want assurance of authenticity? When does the assurance that is virtually available suffice? Some groups may rest content that if their virtual partners can sustain an e-discussion of the finer points of their topic, that itself provides all the assurance of authenticity there could be; communication is an end in itself. Chat rooms dedicated to the nuances of an obscure philosophy don't need external security aids to control who people are: the interest of what someone has to say on the topic is sufficient in itself. Never mind if one's e-partner turns out to be socially undesirable, some software...or a dog. But if the aim is delivery of the goods, rather than communication, what then? Democracies' shared aims extend beyond communication.

Shared experience: thinking skills or keyboard skills?

So, what shared lived experience must we have in order to be a democracy? Dewey's answer was that we had to be able to recognise our mutual interest. Politicians claim that the range of public services for which people will pay taxes is shrinking. Is this the most direct symptom of a lost recognition of mutual interest? Or is it that people just believe that there are many options for more local targeting of payment for public goods? The growth of media creates virtual societies with shared virtual experience in a culture that has lost many forms of shared first-hand experience. Is soap opera an adequate basis for a polity? Does it matter that what is shared remains implicit? That its production is under the control of different special interests? If not soap, then what shared virtual experience is sufficient for the recognition of our common interest, if any? And how can virtual experience complement face-to-face experience? Some recent work has shown that technologies can be used to provide the 'distance-learning' student accessing learning material on the web, with at least some of the critical social experiences of learning in a group. Replaying recordings of groups of students doing face-to-face tutorials helps isolated students learn the skills of the discourse of inquiry (Lee, McKendree, Dineen and Mayes, 1999).

What kind of education is needed to create critical, reflective, citizen consumers of the messages of these new media? Can we replace even the limited comprehensiveness of education which the UK has achieved by wiring our increasingly segregated schools? The western world's curriculum response to the need for reflective thinking has always (at least since Aristotle) revolved around the teaching of logic. That is, logic in the broadest sense of the knowledge and skills which assure mutually shared interpretation during communication, especially where mutuality cannot be assumed. Some – by modern standards – quaintly crude formalisms were taught along with a great deal of practice in detecting misalignments of interpretation of arguments – equivocations, prevarications, fallacies and the like. It was simply taken for granted that this teaching helped with the practice of argument in whatever domain the student practised. It seems that this assumption was well justified. Recent empirical evidence is that learning these matters *can* improve critical thinking.

The paradigmatic arenas in which it was assumed these thinking skills would be applied were the Parliament and the courtroom. Of course, their exercise was only ever expected of a small professional élite. It is an interesting irony that the technical developments of logic in the first half of the twentieth century were what gave us the information and communication technologies which we now struggle to assimilate. Although we perhaps think of electronics when we think of information technology, what actually enabled the application of electronic technologies to computation and communication was the abstract logical idea that data and instructions are interchangeable.

Meantime, the teaching of logic in the UK has largely been relegated to a specialist topic for computer scientists, and the

humanities have shrunk from any aspiration to teach universal skills of reflection and interpretation. Just at the point where the demands of the culture require a far wider range of students to use logical and reflective skills to interact with information technology, we have abandoned the only curriculum response which has ever approached adequacy for the task. In a final irony, the recognition that 'core skills' are deficient in our ever-increasingly specialist curriculum is accompanied by the belief that 'keyboard' skills are a major component. We are asked to swap the study of how to assure mutually shared interpretation in communication conflicts, for knowledge of the layout of the 'qwerty' keyboard. The all-important educational issue is whether best practice for the élite is adapted to the new situation of the many; or whether the many will have to make do with training in keyboard skills. There is some hope that the sheer economic need for education to a level of reflective abilities may lead in the former direction. But even this economic pressure will be tempered by Britain's age-old need to maintain differentials.

Machine interaction

Machine interaction is one of the few features of the new technologies which is novel. The new machines are potentially flexible enough to be responsive, even if most of what is currently available is no more interactive than a book – clicking corresponds rather closely to page turning. Any novelty lies in the number of pages and the interlinking of books. But some examples of what is possible are provided by some current 'intelligent tutoring systems'. There are tutoring systems which really can judge student responses, monitor their learning processes and provide immediate insightful feedback with the sensitivity of a good human tutor. And the machines have far more time and attention to devote. These are exciting developments even if what they also show is how much more there is to these formal subjects than procedural learning; how much investment of effort is required for engineering this apparently modest interaction; and how important are the social and affective aspects of formal learning. Perhaps the most valuable spin-off from all this engineering is the better understanding of face-to-face learning which results from having to be excruciatingly explicit in designing computer systems.

The distribution of agency between user and machine is of the essence in determining who will be master and who slave. Let no one underestimate what technology can do. Let no one underestimate how much else needs to change in the society in which the technology is embedded for the positive possibilities to be realised. One reassurance is that Dewey would have found the essential aspects of our situation highly familiar. We have been here before. In fact, in a manner of speaking, we have always been here since we've been human, and language created virtual experience.

> *Of all affairs, communication is the most wonderful... that the fruit of communication should be participation, sharing, is a wonder by the side of which transubstantiation pales.*
>
> (John Dewey)

Questions for discussion

1. **Are virtual relations between people as good as face-to-face ones?**
2. **In what ways might information technology limit or enhance democracy in Scotland?**
3. **What 'core skills' do we need for living in a democracy and how might information technology help or hinder their acquisition?**

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SECTION 5 – SCOTLAND IN THE INTERNATIONAL COMMUNITY

Democracy and globalisation

JAN PENROSE

Democracy and globalisation are deceptive terms. They are both used so widely that most of us tend to assume that we know what they mean. However, when we really stop to think about it, most of us realise that our definitions are not very precise and that our views are not always shared by others who use the same terms in quite different ways. These problems of inconsistency become worse the closer we look. In this paper I will provide what I hope are fairly general and, hence, widely acceptable definitions of both democracy and globalisation. This will be followed by a discussion of the connections between the two terms and their importance to the future of democracy.

Democracy

Democracy is a set of ideas based around fundamental democratic principles. These principles can be expressed as: (a) the view that people should be granted the maximum possible freedom to decide their own conditions of life; and, to achieve this, (b) the view that political power should be distributed as widely and as evenly as possible.

These democratic principles need to be sharply distinguished from democratic practices. Where the former are ideal goals, the latter involve the active and ongoing struggle to apply these ideals in a context of societal development and change. As this suggests, democracy is a contested concept which produces a system in which people can disagree without destroying the very fabric of the society. In a democratic system, people agree about the ideals which form the basis of the society, but they do not always agree about just what these ideals mean, or about how they should be implemented in a system of government, in social institutions or in public policies. In this way, democracy is as much about how policies are made as it is about what these policies actually are.

These general points about what democracy is are useful as a starting point, but it is the context in which they are applied that explains the significance of this ideology to everyday life. Importantly, very few people who are interested in democracy are explicit about this issue of context. In my opinion, this is because it is obvious to most proponents, commentators and citizens alike that democracy is something which applies to a state. This assumption is related to the fact that democracy gained popularity at the same time as the nation-state emerged as the predominant unit of the global geopolitical order. Until the nineteenth century, democracy was viewed as objectionable, and it was only in the late nineteenth and early twentieth centuries – the time of the entrenchment of nation-states – that democracy acquired the favourable connotations which it enjoys today. This is not to suggest that growing support for democracy should be challenged, but it does mean that the relationship between democracy and nationalism – the underlying ideology of nation states – warrants greater consideration.

Democracy and nationalism

Although frequently overlooked, this connection between democracy and the nation state is crucially important because it means that modern visions of democracy have been constrained by the ideology of nationalism. In effect, nationalism has set the framework in which democracy operates and this has placed limits on how democratic principles can be applied. This is related to the fundamental principles of nationalist ideology which contend that the legitimacy of a state rests on its representation of a single group of people and the attendant obligation to provide government that is by and for 'the people'.

Within the ideology of nationalism, 'the people' are defined by a nation. At its simplest, a nation is conceptualised as the product of immutable bonding – through shared history, meanings and practices – between distinctive groups of people and

the territories which they occupy. According to the ideology of nationalism then, the boundaries of a state and 'its' nation should coincide: hence, the nation state.

Now, if all states did represent a single nation, then nationalism need not constrain the capacity for democratic practice to implement democratic principles. However, very few – if any – states actually comprise a single nation. According to the logic of nationalism, this kind of cultural diversity undermines the legitimacy of a state because the state's existence is based on its responsibility to a single group of people. To overcome this 'problem', nation states have worked hard to assimilate different groups of people into the dominant nation. In doing so, however, the democratic rights of those who do not conform to the dominant nation have been compromised. On one level, this is because those who constitute the majority of any given society are likely to develop policies which reinforce their hegemonic position. At a more fundamental level, it is because systems of government and associated institutions – the procedures for effecting democratic policies – are constructed according to the ideals and visions of those who devise them.

The point here is that democratic practices within nation states are not neutral. Instead, they are structured according to dominant cultural values and meanings. This means that different societies can apply democratic principles in a variety of ways and still be democratic. At the same time though, it also means that when the democratic practices of one cultural community are applied to a different group, the result is intrinsic unfairness to the incorporated group. This is because, however open the prevailing system may be, the preeminence of one set of cultural values and meanings disadvantages those who are not part of this community. To have their dissenting voices heard, members of marginal groups must subordinate – or, at the very least, suspend – their own cultural values to those which structure the dominant society. This places marginal groups in the paradoxical position of having to adopt culturally alien practices in the very efforts designed to resist the imposition of these practices and attendant values. In other words, the dominant system is only open to them if they abandon at least some of the differences which this dissension aims to have recognised and considered.

To summarise so far, democratic practices (or systems) are charged with the task of implementing democratic principles in ways which are consistent with the society they serve. However, because the growing belief in democratic principles has occurred alongside the ascendancy of nation states, the fundaments of nationalism have taken precedence over those of democracy. It is nationalism and not democracy that demands that government serve a single nation. Until very recently, nationalist ideology, and the associated view that democracy is something that applies exclusively to states, has been the most important factor in limiting the application of democratic principles. In practice, this means that most of our experiences of democracy to date can be described as 'nationalist democracy'. The fact that this is changing is where globalisation comes into the picture.

Globalisation

The concept of globalisation only achieved popular currency in the mid-1980s, but since then evidence of its presence can be found almost anywhere people choose to look. In general, globalisation refers to processes which have significantly increased multi-directional connections across the world. For example, processes of globalisation mean that politicians find their scope for action influenced by decisions of multinational organisations; business people must respond to the effects of 'global' markets on local developments and plans; and individuals find themselves using or consuming products that are no longer

produced locally and that often reflect the labour of people living in one or more countries far removed from their final destination. However, despite these growing manifestations of the importance of networks and processes which operate on a 'global' basis, there are good reasons for suggesting that the phenomenon of globalisation is much less new than is frequently assumed. Even a brief and cursory pause for reflection reveals that interaction and cultural diffusion – and not isolationism – have been the most prominent features of human history. Despite occasional disruptions and geographical variations, the general historical record of human existence on earth reveals a steady trend toward increased globalisation.

This begs the question of why recent interest and concern about globalisation has become so widespread. In part, the answer lies in the scale of these processes. Through modern technologies, like e-mail and the internet, time and space have been compressed in ways which were previously unimaginable, and the relative accessibility of these technologies to large numbers of people has increased awareness of the rapid changes going on around us. At the same time, I think that concern about globalisation is directly related to its impact on nation-states. Although contemporary manifestations of global integration are magnified by cumulative impacts and new technologies, this does not – at a fundamental level – distinguish them from previous mechanisms of global consolidation. As this suggests, it is not the novelty of globalisation that explains current concerns, but rather the potential for such processes to undermine nation-states. In other words, it is through globalisation that new challenges to democracy, as practised within nation-states, have arisen.

Globalisation and democracy

Given that nation states have defined the only context in which broad-based democracy has been practised as a desirable ideology, it is not surprising that threats to the nation state should be seen as threats to democratic practice. Indeed, there is very strong evidence to support the view that processes of globalisation are undermining democracy. In general, these processes originate on the supra-state level and challenge nation states from 'above' or outside the state. The starting point for their challenge to 'nationalist democracy' is their capacity to disrupt, circumvent or supersede the systems of power relation which exist between nation states and which previously provided these states with mutually reinforcing guarantees of continued sovereign control.

One manifestation of this challenge is the huge increase in the number of non-governmental organisations (NGOs), which play a growing role in global interactions. The number of international NGOs increased from 176 in 1905 to 832 in 1951 and then leapt to 2,713 in 1972 before more than doubling to 4,649 in 1986 – and this process continues. Even more threatening to the power base of nation states is the development of supra-state economic networks which are based on multinational and transnational corporations. These systems transpose many economic decisions to levels which are beyond the reach of individual nation states, and curtail their power to act in the best interests of their own citizens. Other important challenges to nation states come from the growth of formal multi-state organisations, such as military, economic and political alliances. These entities are gradually acquiring some responsibility for matters that were once the exclusive mandate of national governments. Even though these multi-state organisations are still comprised of nation states, membership in them requires relinquishing some sovereign powers like the monopoly on coercive force and ultimate legal authority. These are powers which were fundamental to the initial rise of nation-state and which have remained instrumental in maintaining their legitimacy.

In all of these ways, globalisation poses a threat to the stability of nation states as the fundamental units of the global geo-political order. At the same time, they pose a threat to democracy because all of these supra-state organisations are unelected and, hence, free from both accountability and responsibility to the people whose lives they affect on a daily basis. None of these organisations constitute systems in which disagreements are regulated by democratic principles. Instead, new global actors are based on power that comes from inequalities of wealth and they produce cumulative exacerbation of these disparities. In other words, they do not grant people the maximum possible freedom to decide their own conditions of life and they curtail rather than broaden the distribution of political power.

The established link between democracy and nation states means that it is difficult to address issues about one without considering the other. As I have tried to demonstrate, nation states have curtailed the implementation of democratic principles through their promotion of a single nation. In the current era of rapid and all-pervasive globalisation these existing constraints have been compounded by the loss of state power to supra-state entities which have no interest or obligation to pursue democratic principles. This means that if we cling to the nation state as the sole legitimate context for democratic practice, the chances of living under democratic principles are certain to decline. On the other hand, if the notion of nation is relinquished, there is considerable scope for creating states which are responsive to all of their inhabitants. Moreover, this can involve co-operative, human efforts to extend democratic principles and practices to both smaller geographical scales and encourage the formation of wider notions of global citizenship.

Questions for discussion

1. **What are the limitations of 'nationalist democracy'? What are the implications of this for the process of 'democratic renewal' in Scotland?**
2. **How can supra-state organisations be made accountable to the people whose lives their activities affect?**
3. **What forms could global citizenship take?**

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Scotland in Europe

ANDREW SCOTT

Introduction

Scotland is an integral part of the European Union (EU), and the EU is integral to the economic and social development of Scotland. The EU is, first and foremost, an economic arrangement. It represents a single economic area that involves 15 member states with a combined population of over 300 million. The EU is an economic union, which means that all goods and services produced within the EU are free to move to any other part of the EU without hindrance. The result is that consumers have access to a wide range of produce, and are able to buy from the lowest cost supplier anywhere in the EU. In addition, labour and capital are free to move around the EU in search of the best possible return. For 12 of the 15 member states the EU is also a monetary union. That began on 1 January 1999 and since 1 January 2002 a common currency, the euro, has replaced the national currencies of the participating countries. By virtue of an 'opt-out' agreement secured in 1992, the UK is not obliged to participate in the monetary union. However, Britain's Labour Government has made it clear that it intends to recommend joining the monetary union once the economic conditions are appropriate, although this will be subject to a 'yes' vote being returned in a national referendum.

The EU is now the world's largest trading area, having overtaken the USA, and accounts for over one-fifth of the total value of world trade. Over the next five years the Union is set to enlarge further, bringing in up to 10 new member countries from Central and Eastern Europe. Within twenty years the EU is expected to embrace up to 30 member states. The UK became a member in 1973. That decision was endorsed by the 1975 referendum. Although public support for the EU has declined markedly since then, it is generally agreed that Scots remain among the most pro-European in the UK. In large measure this is explained by the importance that EU membership has had for the Scottish economy. This forms the central theme of the present discussion. However, in all likelihood the pro-EU sentiment in Scotland also has an overtly political aspect. The paucity of support in recent times for the Conservative Party suggests that the overwhelming majority of Scots now align themselves to political parties either of a staunchly pro-European outlook (the Liberal Democrats and, more recently, the Scottish National Party (SNP)), or who are notably less Euro-sceptic (the Labour Party). The SNP slogan 'Scotland in Europe' was particularly significant in this respect, ending as it did the implied association between 'nationalism', on the one hand, and economic and political isolationism on the other.

The Scottish economy and the EU

Scotland is best described as a small, open economy located on the geographic periphery of the European Union. The EU is the largest market for Scotland's exports, representing over two-thirds of its total exports per year. France and Germany are the main markets for Scotland's exports, the majority of which originate in the food and drink and electronics sectors, with the USA, historically the main non-UK market for exports, now ranking only third as a destination for Scottish exports of goods and services. However, it is not only with respect to exports that membership of the EU matters so much to Scotland's industry. Scotland is also a destination for a significant share of the total foreign direct investment (FDI) destined for the EU. Dominated by the micro-electronics sector, it is estimated that over 20,000 jobs in Scotland are directly attributable to FDI in that sector alone. If we include the secondary employment effects of inward investment, the dependence of the economy on FDI, 60 per cent of which originates in the USA with only 22 per cent originating

in other EU countries, is considerably greater. So, despite its peripheral location with respect to the economic core of the EU, Scotland has carved out a distinctive niche as a destination for (especially USA-originating) inward investment. Although there are justifiable worries over the high dependence that Scotland has on inward investment for jobs, this will remain central to our economic development for the foreseeable future.

The service sector is also heavily integrated within the EU economy. This sector accounts for the lion's share of employment in Scotland (over 80 per cent of the total) and almost two-thirds of her Gross Domestic Product (GDP). Within that sector, financial services are particularly important, accounting for 15 per cent of GDP although employing only three per cent of the Scottish labour force. Both the tourist sector and financial services have a strong European element in their activities, an element that is likely to intensify over the medium term. Finally, the EU dominates government policies in farming and fishing, both of which occupy key places in Scotland's fragile rural economies. The Common Agricultural Policy and the Common Fisheries Policy are matters exclusively within the competence of the EU level of governance. Notwithstanding devolution, Scotland's interests in these crucial matters, as with all aspects of EU policy, continue to be managed by the UK Government because EU policy remains a matter 'reserved' to the UK government.

It is clear from this brief overview that the economy of Scotland is comprehensively integrated into that of the EU as a whole. As the EU enlarges this process will continue. It has not, of course, been a painless process. EU membership has opened many sectors of the economy to competitive challenges – challenges from which some of our traditional industries have suffered and other sectors have benefited. But the alternative to competition is protectionism, and there is no evidence that protectionism ever operates to the long-term good of an economy or its citizens. Undoubtedly Scotland's economy will face new challenges as the EU enlarges and as some EU policies undergo much needed reforms. That is for the future.

Principal mechanisms through which EU membership will impact on Scotland

A Single European Market (SEM)

Since December 1992, the EU has constituted a 'single' market. This was the result of the SEM programme launched in 1985 which provided for the complete removal of all remaining barriers to the free movement of goods, services, capital and labour by December 1992. In the main, that objective was realised. At the time, some expressed concerns that areas on the periphery of the Union, such as Scotland, would lose out to the core locations, and that this would lead to the emergence of a 'dualistic' EU characterised by a rapidly expanding and dynamic core surrounded by a slow-growing periphery. It is difficult, even with the benefit of hindsight, to assess the impact that the SEM has had on the Scottish economy. In the main, the primary impulse shaping recent economic developments has come from decisions reached in London and other centres of multi-national decision-making, rather than from the integration of the European market place. However, it is likely that the enhanced ease of access to the mainland EU market provided by the SEM has stimulated both domestic and overseas investment activity in Scotland and has been a force underpinning the much-needed modernisation of Scotland's economy. What remains unclear is the extent to which Scottish firms have taken full advantage of the opportunities available from the SEM programme. While there is little quantitative evidence available to permit firm conclusions to be drawn, there is indirect evidence, such as a relatively low rate of new start-ups,

to suggest greater efforts are needed to ensure that Scottish producers are taking full advantage of marketing opportunities available on mainland Europe.

Structural Funds

The structural funds describe a range of EU policies directed at improving the economic conditions in the Union's less advantaged regions, principally those in which economic development is lagging, those seeking to diversify away from traditional industries and rural and peripheral regions. Scotland has been a significant beneficiary of these funds, especially in the period 1994-99 during which the financial inflow to Scotland was some 1.286 million euros directly from EU coffers. The principal beneficiaries were the Highlands and Islands region, the declining industrial areas of East and West Scotland and the rural parts of the Borders, Tayside, Grampian and Dumfries and Galloway. Some 4.3 million Scots live in areas that benefited to some extent from EU regional policy expenditure. The aim of that expenditure is to enhance the economic development prospects for the recipient regions. Accordingly, policy initiatives focus on strategic objectives that together should boost the prospects for their self-sustaining economic development (business development, tourist facilities, environmental action, training and education, research and development, small and medium sized enterprises, and the provision of improved transport and communications infrastructure). The results have been favourable, and have led to the creation of new jobs and new businesses, and assisted in the re-skilling of labour.

Although Scotland will continue to receive significant financial inflows from EU structural funds until 2006, thereafter the prospects are for a substantial reduction in EU support. This reflects two factors. The first, which is to be welcomed, is that rising prosperity in some Scottish regions means that they will no longer qualify for assistance. Second, by 2006 the EU will have been enlarged to include some extremely poor and economically disadvantaged countries of Central Europe. Inevitably this will produce a re-orientation of assistance towards those economies.

European Monetary Union (EMU)

EMU represents the most significant economic change to Europe's economies this century. As we noted earlier, the UK currently does not participate in EMU. Nonetheless, it is set to have an impact on the UK economy in general and Scotland in particular. The distinctive Scottish dimension to EMU arises because of the relative openness of the Scottish economy to influences from the EU – more than is the case for the rest of the UK – and because of its reliance on inward investment from outside the EU.

Clearly it will be undesirable if UK non-participation in EMU increases the degree of exchange rate volatility that Scottish exporters, including multinational firms, have to deal with. A volatile pound will increase the risk for traders engaged in currency dealing, and may persuade firms simply to avoid trading with companies where this involves a currency exchange. UK firms are clearly disadvantaged with respect to EU-based firms within the euro zone, and within the UK many Scottish firms which are dependent on inward-investment are especially vulnerable. Equally problematic is a scenario where sterling appreciates or depreciates strongly against the euro. A 'strong' pound will hit Scottish exporters, while a 'weak' pound will significantly raise the cost of imports, thereby fuelling domestic inflation. Of course, the exchange rate can be managed to a degree if the UK government is willing to raise or lower interest rates in order to achieve a 'target' exchange rate. But this would serve only to transfer the problem to domestic capital markets with potentially undesirable consequences for investment

levels. None of this points unambiguously in favour of an early move into EMU, for that too poses problems, but it does indicate the difficulties that the UK government has to manage with respect to the sterling-euro exchange rate.

Scottish devolution and the European Union

Devolution brings in its wake new opportunities and new challenges for Scotland in its relationship with the EU. Under the legislation, the UK government reserved to itself all aspects appertaining to EU business. At the same time, however, devolution transferred to the Scottish Parliament policy competence over many economic issues with a significant EU dimension: economic development policy, the environment, farming and fishing, and so on. Accordingly, provisions have been agreed to allow the Scottish Executive, and its territorial counterparts in Wales and Northern Ireland, to have an input into the formulation of UK European policy in order to ensure that the distinctive Scottish viewpoint is taken into account. However, the UK government is not bound by that process; it is solely a consultative exercise and authority remains exclusively with the UK government. Nonetheless, it offers an opportunity for the Scottish voice to be heard in UK European policy-making, possibly to an extent that was not the case before devolution.

In addition to co-operation between the Scottish and UK governments, the Scottish Parliament has created a European Committee whose function is to scrutinise and comment on all EU legislative proposals that have a potential bearing on Scotland. This is a challenging remit, given the volume of EU legislative proposals emanating from Brussels. Nonetheless, again it offers a key opportunity for enhancing the sub-national input to policy decisions made at the EU level. Not only should this improve the policies ultimately agreed upon, it should also assist in bringing the European Union level of governance 'closer' to the citizens of Scotland. Just how speedily the Scottish Parliament is able to discharge these new responsibilities is not yet clear. However, it may be able to work closely with the Scottish Members of the European Parliament (MEPs) and other EU representatives from Scotland in fashioning a coherent and robust position on future developments within the EU.

Questions for discussion

1. **What advantages does Scotland gain from UK membership of the European Union?**
2. **How is Scotland likely to fare as membership of the European Union is enlarged?**
3. **What are the arguments for and against: a) membership of the European Monetary Union, and b) a more direct and distinctive Scottish voice in the politics and policies of the European Union?**

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The New Scotland: taking our place in the world

WILLIAM STORRAR

With its contemporary Parliament, its inherited problems and its beckoning potential as a democracy, the new Scotland now stands before us in these pages and in our own experience. As we take our place in the world of the twenty-first century, it is worth asking one last question. What role should this new Scotland aspire to play on the global stage?

This is a question requiring playful imagination as well as reasoned argument. In the midst of the global debate about renewing democracy, there is a place for the poet as well as the politician and the philosopher. Poets, after all, are now subject to globalisation like the rest of us. In a lecture given in Japan, the distinguished Irish poet, teacher and Nobel laureate Seamus Heaney described a creative writing exercise that he gives to his students at Harvard. He asks them to imagine different emotions or states of mind as countries or landscapes: anger like a volcanic island, and so on.

Heaney has taken up this challenge in his own poem, 'From the Republic of Conscience'. There conscience is reimagined as an austere little republic where he lands by plane, to be met by its eccentric entry procedures:

> *At immigration, the clerk was an old man/ who produced a wallet from his homespun coat/and showed me a photograph of my grandfather – and then its strange practices – At their inauguration, public leader/ Must swear to uphold unwritten law and weep/To atone for their presumption in holding office – before departing as its permanent representative – Their embassies, he said, were everywhere/but operated independently/and no ambassador would ever be relieved.*

This poem was triggered in Heaney's imagination by a Scottish journey. He had indeed landed at a little airstrip on the Orkney Islands, and found himself enveloped in utter silence:

> *When I landed in the republic of conscience it was so noiseless when the engines stopped I could hear a curlew high above the runway.*

Here, on the far northern rim of Scotland in Europe, we see Heaney magically turning the landscape of Orkney into that state of mind he calls the 'frugal republic' of conscience. But what if we were to reverse Heaney's creative writing exercise and imagine this new Scotland of ours as a state of mind? As we take our place in the world, what emotion does that conjure up for you?

Anxiety at the world's end

Some two thousand years before Seamus Heaney landed in Orkney, the Romans sailed through the Pentland Firth, between the Orkney Islands and the mainland. They thought that they were nearing *ultima Thule*, the world's end. This was to prove a recurring theme in the emerging Scottish sense of national identity. Just as the silence of that Orkney airfield worked its chemistry in Heaney's poetic imagination, so this Scottish sense of geographical isolation affected our nerve ends as a nation. Our first and enduring emotion in facing the wider world was one of anxiety in which we compensated for our insignificance on the edge of the map with somewhat grandiose claims for a special place in the universal scheme of things.

This was certainly how the Declaration of Arbroath conceived of Scotland's place in the world in the fourteenth century, when making an appeal for international recognition of Scottish independence. The letter from the Scottish barons to Pope John XXII in 1320 claims that the Scots were among the first to be called to faith through the apostle Andrew, 'though living in the outmost ends of the earth'. Later, in the seventeenth century, the influential Calvinist minister Samuel Rutherford would take Old Testament prophecies about the fate of remote islands far from Israel and apply

them to Scotland: 'Now, O Scotland, God be thanked, thy name is in the Bible... Christ said, "Father, give me the ends of the earth, put in Scotland..."' And what do we make of Scots imperialists in the nineteenth century who were willing to see Scotland disappear off the map altogether and reappear as North Britain while at the same time expanding their very 'Scottish Empire' of trade, exploration, education and missions across a tartan-pink map of the world? Even the great twentieth-century Scottish poet and militant atheist Hugh MacDiarmid saw Ecclefechan as part of some eternal mood, which is pushing it a bit, even for a drunk man looking at the thistle!

From medieval times, therefore, Scotland has been imagined as the world's end in this dual physical and metaphysical sense: Scotland as the back of beyond but also Scotland as part of some eternal plan. Holding the two together has inevitably been a source of tension in the national psyche. Just as for the Danish philosopher Soren Kierkegaard anxiety was 'a matter of the finite mind horrified by its own limitlessness', so for Scotland, anxiety was induced by its recurring claim to a limitless destiny despite its very obviously finite and peripheral place in the world. No wonder the journalist Neal Ascherson could write of proto-devolutionary Scotland in the 1970s that it faced the old and fundamental Scottish contradiction between self-assertion and self-distrust.

But does the new Scotland still see itself as the world's end in this double and contradictory sense of acquiescing in a liminal geographical fate where we hardly feature in the world's consciousness while simultaneously swaggering under the limitless conceit that we hold 'the key to the universe'? Need we live in the resulting state of anxiety about our place in the world or can we escape these particular 'polar twins of the Caledonian antisyzygy', as the Scottish tendency to hold together two contradictory notions at the same time has famously been called? Perhaps we find the clue to an answer and to our own liberation in another question, one that Ascherson posed in his reflection on Scottish contradictions in 1976. Despairing of Scotland's history of oscillation between passive suffering and volcanic violence, he asked:

> Where are the episodes in which the Scottish people, by holding together and labouring patiently and wisely, achieved something?

Well, now there is such an episode in the history of the Scottish people, as this source book documents. After the self-assertion of the 1970s, with the SNP's famous 'It's Scotland's Oil' campaign, and the self-distrust of the 1979 Devolution referendum, something extraordinary happened. As Ascherson knew, the Scottish people finally achieved a Scottish Parliament by holding together and working patiently in a peaceful, civic and cross-party home-rule movement rooted in the growing consensus of Scottish civil society, the vitality of a Scottish cultural renaissance and the catalysing solidarity of all Scottish social classes in the face of hostility to UK government policies in the 1980s.

Now there is a new Scotland that has shown a healthy degree of practical wisdom and self-acceptance in working together in a common cause through the 1990s. This has resulted in the setting up of a new set of democratic institutions, practices and processes for the new century, not least to tackle Scotland's continuing social inequalities and to challenge the regressive social attitudes and institutional complacency of that same Scottish civil society which was the motor of home rule in the nineties. And now we have a different Scottish history with some modest but real democratic achievements to set alongside the centuries of passive suffering and irruptive violence, not least the suffering and violence perpetrated by Scots on the world of empire and

beyond. We are now ready to labour patiently and more wisely in the wider world as well.

But the achievement of a Scottish Parliament in the 1990s was also grounded in another critical factor that it would be fatal to forget if the new Scotland is to find its place in the world. The international exchange of ideas and institutional experience in renewing democracy was a central part of the home rule movement's activities in the 1990s. The biggest home rule demonstration in modern Scottish political history took place on the 12th of December 1992, on the occasion of the Edinburgh Summit of European Union Leaders. The march of 25,000 through Princes Street and up The Mound culminated in a Democracy Declaration that was a united appeal to the European leaders to recognise the case for a modern democratic legislature for the affairs of an ancient European nation. It was preceded the night before in Edinburgh with a packed civic forum at which over 400 citizens talked with politicians from the Basque country and Lithuania on democratic renewal across Europe. It was followed in September 1993 by a civic and cross-party delegation to press Scotland's case for democracy in meetings with the President of the European Parliament and representatives of the Belgian Foreign Ministry, on behalf of the European Union. Fact-finding exchanges with Catalonia, the Basque country, the German Lander and Quebec, for example, generated the intellectual oils that lubricated Scottish democratic thought in this period. And now students, researchers and official delegations from around the world flock to Edinburgh and the Scottish Parliament to discuss and learn from this peaceful experiment in participatory democracy.

At its best and sharpest, the movement for democratic renewal in Scotland was and is a world exchange of democratic ideas and experience in the context of growing concerns about citizenship and globalisation. That is the final clue to our future place in the world.

Aspiring to be a partner in the world's exchange

Again it is a poet who best explores the new Scotland's place in this fast-changing world of 24-hour internet trading in the global economy, the place of the glowing computing screen where, 'In the Ossianic twilight woven with the shuttles of money screens of the world fade out and rekindle with light.' This is the closing sentence of a prose poem by the Scottish writer Robert Crawford, published in a collection appropriately called *Spirit Machines*. The poem is entitled 'Exchange', and is about the nature of money in this world economy of e-commerce and environmental degradation, 'the harsh white heron of exchange'.

There is a monetary connection here with our democratic concern about the new Scotland's place in the world. Within a few years we shall almost certainly bid farewell to one of the symbols of our national identity, Scottish bank notes. If and when we exchange these monetary passports for the euro, something will happen to us. In the alchemy of promise and trust that is money, we shall also exchange one British version of our identity for another, European sense of who and what we are as Scots. Crawford, whose own father was a bank manager, has brilliantly captured something of this aspiration to exchange between money and spirit:

> Promising always to pay the bearer, money aspires to the condition of purest spirit. Divesting itself of carnal assets, it sheds its own metal and metal-stripped body. It passes like wild bees into the shadowy screen. In the silicate moonshine of e-mailed figures, money resurrects...

Perhaps this metaphor of exchange describes our place in the world as the new

Scotland. Like money, our frail Scottish bank notes, we should aspire to a perpetual condition of exchange between body and spirit, as in the silicate world of e-mailed figures and what Crawford wonderfully calls cybery shapes. Scotland is no longer at the world's end, anxious about the contradiction between its peripheral existence and its imperial pretensions. Now, in the polycentric world of information networks in cyberspace, Scotland is one among many hubs of global exchange and no longer fated to be a marginal rim of empire. The new Scotland is and can be more and more a place of international exchange between body and spirit, institutions and ideas, issues and identities, economics and ethics. In other words, our aim in the twenty-first century should be the same as that of the Scottish Enlightenment in the eighteenth century: for Scotland to be one among many interconnected centres of intellectual exchange about the ambiguous fate of a diverse and yet common humanity held together by bonds of moral solidarity in an unpredictable world economy and political order. Only this time it must be a truly democratic exchange within and beyond Scotland, one that embraces every gender, ethnicity, ability, age, income, minority and preference under the banner of a common humanity. It is when women from a Glasgow scheme exchange their rich experience, expert knowledge and proven skills with the women of a South African township, as they have done; it is when young MSPs and Scottish Executive civil servants and Scottish Civic Forum leaders exchange their democratic experience with that of their young colleagues in Eastern Europe and Southern Africa, as they should do; it is when Scottish research scientists, moral thinkers and those with genetic disorders engage in the kind of global exchange of knowledge and ethical concern required by the new genetics, as they must do; it is then and only then that the new Enlightened Scotland will really take its proper place in the world as a partner in the world's exchange.

To see the new Scotland not as a remote place of posturing obscurity at the world's end but as one among many liberating points of silicate and social light in the world's exchange of body and spirit, is to imagine Scotland as a state of aspiration and not anxiety. Had we been in Seamus Heaney's creative writing class, we might have called it taking our place in the global republic of hope. An impossibility? Let some lines from Robert Crawford's poem of that name, 'IMPOSSIBILITY', have the last word on the renewing of democracy in Scotland, and rekindle our hope:

Scotland has never seen democracy;
History: Red Comyn's wife's demeaning wail
Over her children, through rich, spirituous rain
Soaking a slaughter on imperial fields,
Pissed regiments; I want some dignity
For the unmaimed in a democratic land…

Questions for discussion

1. **What emotion or state of mind would you use to describe Scotland's place in the world before and after 1999 (the year of the first modern elections for the Scottish Parliament)?**
2. **What role do you think Scotland should play in the world in the twenty-first century?**
3. **What ideas and issues would you want to see as a focus of exchange between Scotland and which other parts of the world?**

Further reading

Crawford, R (1999) *Spirit Machines*, Jonathan Cape/Cape Poetry.

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Contributors

Michael Adler is Professor of Socio-Legal Studies at the University of Edinburgh. His most recent publications have been concerned with public attitudes to begging, procedural fairness in the assessment of special educational needs and the impact of computerisation on decision-making in social security.

Robert Anderson is Professor of Modern History at the University of Edinburgh. He is author of *Education and the Scottish People 1750-1918* (Clarendon Press).

Rowena Arshad OBE is Director of the Centre for Education for Racial Equality in Scotland and Senior Lecturer in Equity Studies in the Faculty of Education, University of Edinburgh. She has written extensively on issues of race equality in Scottish politics and policy-making. She has recently been appointed a Commissioner for the Equal Opportunities Commission with responsibility for Scotland. She is also an active trade unionist and trained community education worker.

Liz Bondi is Professor of Social Geography in the Department of Geography, University of Edinburgh. Her research is about urban change, focusing particularly on gender issues and on the rise of counselling services. She is founding editor of *Gender, Place and Culture: A Journal of Feminist Geography*, and has published extensively in social geography.

Kenneth Boyd is Professor of Medical Ethics in the University of Edinburgh's Medical School, Research Director of the Institute of Medical Ethics and Deputy Editor of the *Journal of Medical Ethics*.

Esther Breitenbach has been active in the women's movement since the early 1970s, and has written extensively on women in Scotland. She has published on women's history in Scotland, contributed to the Gender Audit and is co-editor with Fiona Mackay of *Women and Contemporary Scottish Politics: An Anthology* (Polygon, 2001). She is currently on secondment to The Women and Equality Unit in the Cabinet Office from the Department of Social Policy, University of Edinburgh.

Alice Brown is Professor of Politics and a Vice-Principal at the University of Edinburgh. She is also Co-Director of the University's Institute of Governance. She has published widely on Scottish politics, constitutional change and women and politics, and was a member of the Consultative Steering Group which drew up proposals for the standing orders and procedures of the Scottish Parliament. She is Chair of the Community Planning Taskforce in Scotland.

David Carr is Professor of Philosophy of Education in the Faculty of Education, University of Edinburgh. He is author of *Educating the Virtues* (Routledge, 1991) and *Professionalism and Ethical Issues in Teaching* (Routledge, 1999), editor of *Education, Knowledge and Truth* (Routledge, 1998) and co-editor (with Jan Steutel) of *Virtue, Ethics and Moral Education* (Routledge, 1999). His most recent book is *Understanding Education and Teaching* (Routledge, 2002).

Chris Clark is Senior Lecturer in the Department of Social Work, University of Edinburgh. His professional experience includes community work, social development and the support and organisation of volunteering. He is presently associated with Volunteer Development Scotland and Consultation and Involvement Trust, Scotland in a research advisory capacity. His publications include *Theory and Practice in Voluntary Social Action* (Avebury, 1991) and *Social Work Ethics: Politics, Principles and Practice* (Macmillan, 2000).

Tom Conlon is Senior Lecturer in the Department of Curriculum Research and Development, University of Edinburgh. He is an Information Systems Engineer who specialises in computing in education and has written four books and many papers in this field.

Cairns Craig is Head of the Department of English Literature and Director of the Centre for the History of Ideas, University of Edinburgh. He is the author of *Yeats, Eliot, Pound and the Politics of Poetry* (1981), *Out of History: Narrative Paradigms in Scottish and English Culture* (1996) and *The Modern Scottish Novel: Narrative and the National Imagination* (1999). He was the general editor of the AUP History of Scottish Literature (1987-9) and is also an editor of Canongate Classics.

Viviene E Cree is a lecturer in the Department of Social Work and Associate Dean (Admissions) in the Faculty of Social Science, University of Edinburgh. Her professional experience includes community work, social work and practice teaching in the voluntary and statutory sectors. She is currently on the Family Resource Network Student Project management group. Her publications include *From Public Streets to Private Lives: The Changing Task of Social Work* (Avebury, 1995), *Working with Men: Feminism and Social Work*, with K Cavanagh (Routledge, 1996), *Sociology for Social Workers and Probation Officers* (Routledge, 2000) and *Transfer of Learning in Professional and Vocational Education*, with C Macaulay (Routledge, 2000).

Jim Crowther is a lecturer in the Department of Higher and Community Education, University of Edinburgh. He is co-editor with Ian Martin and Mae Shaw of *Popular Education and Social Movements in Scotland Today* (NIACE, 1999) and, more recently, co-editor with Mary Hamilton and Lyn Tett of *Powerful Literacies* (NIACE, 2001)

Sarah Cunningham-Burley is Reader in Medical Sociology in the Department of Community Health Sciences, University of Edinburgh. She is also Co-Director of the new SHEFC-funded Centre for Research on Families and Relationships. She has a particular interest in the family, lay health beliefs and lay involvement in health services, medical technologies and health inequalities. Her recent publications include Cunningham-Burley, S and Milburn K (eds) *Exploring the Body* (Palgrave, 2001).

Ian Dey is Senior Lecturer in Social Policy in the School of Social and Political Studies, University of Edinburgh. His recent publications include a book on family policy, co-authored with Fran Wasoff.

Patricia Findlay is Senior Lecturer in Organisation Studies in the School of Management, University of Edinburgh. Her research focus is on managing the employment relationship, with recent publications on organisational innovation and change, performance appraisal, industrial relations and employer-employee partnership agreements. She is a member of Employment Tribunals (Scotland).

Duncan B Forrester is Emeritus Professor of Christian Ethics and Practical Theology, University of Edinburgh, where he founded the Centre for Theology and Public Issues in 1984. Prior to coming to Edinburgh in 1978, he was Chaplain and Lecturer at the University of Sussex, and, from 1962-1970 Professor of Politics at Madras Christian College in India.

Ian Fyfe is a graduate of the University of Edinburgh and a regular visiting lecturer in the Department of Higher and Community Education. He works for the Community Education Service of Edinburgh City Council and has a specific interest in youth work.

Michael Gallagher is a doctoral student in the Department of Geography, University of Edinburgh. He holds an ESRC award for his research about the spaces through which children with special educational needs are, or are not, included in primary schools.

Vernon Galloway is a Lecturer in Community Education, University of Edinburgh and is also a member of staff at the Adult Learning Project, Edinburgh. He has worked as an adult and community educator for 20 years and was a member of the Scottish Civic Assembly Council for three years.

Jonathan Hearn, a social anthropologist, teaches in the Departments of Sociology and Politics, and convenes the MSc in Nationalism Studies at the University of Edinburgh. Interested in issues of culture and power, he specialises in the study of nationalism, civil society, social movements, moral discourse and Scottish society and politics. He is the author of *Claiming Scotland: National Identity and Liberal Culture* (Edinburgh University Press, 2000).

John Horne is Senior Lecturer in Sport and Leisure Studies, University of Edinburgh. He is currently researching sport in Japan, sport in consumer culture and sport and social diversity. He is co-author of *Understanding Sport* (Spon, 1999) and co-editor of *Sport, Leisure and Social Relations* (Routledge,1987) and *Japan, Korea and the 2002 World Cup* (Routledge, 2002).

Lynn Jamieson is Professor of the Sociology of Families and Relationships in the Department of Sociology, University of Edinburgh and Co-Director of the Centre for Research on Families and Relationships, and has a long-standing interest in families, personal life and social change. She is author of *Intimacy: Personal Relationships in Modern Society* (Polity Press, 1998) and, with Claire Toynbee, *Country Bairns: Growing Up 1900-1930* (Edinburgh University Press, 1992).

Ruth Jonathan holds a Personal Chair in Educational Theory and Policy, University of Edinburgh. She teaches educational and social theory in the Faculty of Education and the Graduate School of Social and Political Studies (of which she was Founding Director). Her publications focus on relations between educational policy and social values and structure, and include *Illusory Freedoms: Liberalism, Education and the Market* (Blackwell, 1997).

Richard Kerley is in the School of Management at the University of Edinburgh, where he heads the Strategy, Marketing and Innovation group. He has worked in local government and served as a councillor. He has extensive experience of research, teaching and consultancy in this field and recently chaired the Scottish Executive Working Group on Renewing Local Democracy.

Gordon Kirk is Dean of the Faculty of Education, University of Edinburgh, having previously served as Principal of Moray House Institute of Education from 1981 to 1998. He is the author of several books on education in Scotland, particularly with regard to the curriculum and the education and professional development of teachers

David McCrone is Professor of Sociology, University of Edinburgh. He is also Convenor of the Unit for the Study of Government in Scotland and Co-Director of the Governance of Scotland Forum.

Fiona Mackay is Lecturer in Politics, University of Edinburgh. She is author of *Love and Politics: Women Politicians and the Ethics of Care* (Continuum, 2001) and co-editor of *Women and Contemporary Scottish Politics* (Polygon, 2001). She also co-edited and contributed to the annual Gender Audit published by Engender.

John MacInnes is Reader in the Department of Sociology, University of Edinburgh. He teaches and researches on issues of both national identity and gender identity and is especially interested in the impact of the decline of patriarchy on modern societies.

Hector MacQueen, FRSE is Professor of Private Law and Dean of the Faculty of Law, University of Edinburgh.

Brian G M Main is Professor of Economics, University of Edinburgh and Director of the David Hume Institute. He has published widely in the areas of labour economics, negotiation and corporate governance.

Ian Martin is Reader in Adult and Community Education in the Department of Higher and Community Education, University of Edinburgh. He has written extensively about the politics of adult education, lifelong learning and citizenship, and is co-editor, with Jim Crowther and Mae Shaw, of *Popular Education and Social Movements in Scotland Today* (NIACE, 1999).

Stephen Maxwell is Honorary Fellow in the Department of Social Policy, University of Edinburgh. He is also Associate Director of the Scottish Council for Voluntary Organisations and a member of the Scottish Executive's Social Inclusion Network and Community Planning Task Force.

Andrew Morton is Honorary Fellow of the Faculty of Divinity and, until recently, Associate Director of the Centre for Theology and Public Issues, University of Edinburgh. He has also worked in parish ministry, university chaplaincy and ecumenical diplomacy at British and European levels.

Graeme Morton is Lecturer in Economic and Social History, University of Edinburgh. His publications include *Unionist-Nationalism* (1999), *William Wallace: Man and Myth* (2001) and *Civil society, governance and nation, 1832-1914* (with Morris, R J) in *The New Penguin History of Scotland*, Houston, R A and Knox, W (eds) (2001).

Liz Nicholson is Director of Shelter (Scotland). She graduated from the University of Edinburgh in 1988. She was Research Associate in the Department of Social Policy from 1988-89.

Richard Parry is Senior Lecturer in Social Policy in the School of Social and Political Studies, University of Edinburgh, and has been researching the administrative transition from the Scottish Office to the Scottish Executive (1999) and the impact of devolution on civil servants throughout the United Kingdom (2001) in projects funded by the Economic and Social Research Council.

Lindsay Paterson is Professor of Educational Policy, University of Edinburgh. He has published on many aspects of the sociology of education and Scottish politics. Among his most recent books are *A Diverse Assembly: The Debate on a Scottish Parliament* (Edinburgh University Press, 1998) and *Education and the Scottish Parliament* (Dunedin Academic Press, 2000).

Jan Penrose is Senior Lecturer in Geography, University of Edinburgh. Her research bridges cultural and political studies and she has published work on the relationship between culture and power, on the concept of nation and nationalism and on globalisation and fragmentation as well as issues of 'race' and ethnicity.

Jamie Rennie is the Project Manager of Stonewall Youth Project – a support agency for lesbian, gay, bisexual and transgender young people. He trained in the Faculty of

Education of the University of Edinburgh as a schoolteacher. He is now a visiting lecturer on LGBT youth issues in the Department of Higher and Community Education and regularly supervises students on placement.

Michael Rosie is a Research Associate with the Governance of Scotland Forum at the University of Edinburgh.

Eurig Scandrett is a graduate of the University of Edinburgh and a regular visiting lecturer in the Department of Higher and Community Education. He worked in ecological research before moving into adult and community education. He is Head of Community Action at Friends of the Earth (Scotland), and currently tutors on courses in environmental policy for the Open University.

Andrew Scott is Senior Lecturer in the School of Law, University of Edinburgh. His research interests include the economics and governance of the European Union and the implications of devolution for UK and European policy-making.

Mae Shaw is Lecturer in Community Education, University of Edinburgh. She is editor of the Scottish journal *Concept* and a member of the editorial board of the *Community Development Journal*. She is co-editor of *Radical Community Work: Perspectives from Practice in Scotland* (1996) and *Popular Education and Social Movements in Scotland Today* (1999).

Adrian Sinfield is Emeritus Professor of Social Policy, University of Edinburgh where he has worked since 1979. His main areas of research, both national and comparative, are unemployment, poverty, social security and the social division of welfare.

Keith Stenning is Professor of Human Communication, University of Edinburgh. His main research interest is understanding the cognitive and communicative changes that are wrought in students by the transition from secondary to tertiary education. He is the author of *Seeing Reason: Language and Image in Learning to Think* (Oxford University Press, 2002).

Kay Tisdall has a joint post as Lecturer in Social Policy, University of Edinburgh, and Director of Policy and Research at Children in Scotland (the national umbrella agency for organisations working with children and their families). Current and recent research projects include girls and violent behaviour, children living with parents who are HIV positive, integrated services for children and their families and the 'voice of the child' in Scottish family law. She is Convenor of the MSc/Diploma in Childhood Studies at the University of Edinburgh.

William Storrar is Professor of Christian Ethics and Practical Theology and Director of the Centre for Theology and Public Issues at the University of Edinburgh. He was a founding member and convener of Common Cause, a national civic forum on democratic renewal in Scotland, from 1992 to 2000 and which is now an international forum on citizenship.

Satnam Virdee is Lecturer in Sociology at the University of Glasgow and Honorary Research Fellow in the Department of Sociology, University of Edinburgh. His main research interests include racist and anti-racist collective action, the political economy of racism in late capitalism and the linkages between racism and nationalism. He is the author of numerous articles and research monographs including *A Marxist Critique of Black Radical Theories of Trade-union Racism (2000) Sociology* 34: 3. He is currently writing a book on the dialectics of racism and anti-racism.

Fran Wasoff is Reader in Social Policy in the School of Social and Political Studies

and Co-Director of the Centre for Research on Families and Relationships, University of Edinburgh. She is an active researcher in the field of family policy and family law in Scotland, and is co-author, with Ian Dey, of *Family Policy* (Routledge, 2000).

Harry D Watson was, until recently, Director and Senior Editor of the Dictionary of The Older Scottish Tongue, University of Edinburgh. He is a graduate of the University of Edinburgh and Moray House Institute of Education, and is also a former teacher of English and a literary translator.

Nick Watson is Lecturer in the Sociology of Health and Illness in the Department of Nursing Studies, University of Edinburgh. He has published on a wide range of disability issues and his most recent work has involved research with disabled children. He is currently carrying out research on the history of the wheelchair. He is active in the disabled people's movement.

Andy Wightman is a freelance writer and researcher specialising in land tenure and rural development and is a leading advocate of land reform in Scotland. He is an Honorary Research Fellow at the University of Aberdeen and a Research Associate in the Faculty of Education, University of Edinburgh. He is the author of *Who Owns Scotland?* (Canongate, 1996) and *Scotland: Land and Power* (Luath, 1999) and is Director of the Caledonia Centre for Social Development's Land Programme and a member of the New Opportunities Fund's Scottish Land Fund Committee.

Sally Witcher was formerly Director of the Child Poverty Action Group. She is currently studying part-time in the Department of Social Policy, University of Edinburgh for a PhD on the subject of discrimination and social exclusion. She also works as a freelance consultant.

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